

#### **MINUTES**

### BOARD OF EQUAL RIGHTS COMMISSIONERS January 18, 2017 at 2:30 P.M. in City Hall, Rm. 303

**Present:** 

Commissioner Jeffery Roman, Chair Commissioner Chez Ordonez, Co-Chair Commissioner Tony Snell Commissioner Mayhoua Moua Sharon Robinson, Dept. of Administration Jessica Langill, Dept. of Administration Ben Roovers, City Attorney's Office Rebecca Rabatin, DOA Budget & Management Mark Nicolini, City Budget & Management Nate Holton, Milwaukee County Office of Afric Absent: Commissioner Marquette Baylor Commissioner Sheila Ashley Commissioner Aldira Aldape

Ben Roovers, City Attorney's Office Rebecca Rabatin, DOA Budget & Management Mark Nicolini, City Budget & Management Nate Holton, Milwaukee County Office of African American Affairs Syd Robinson, Milwaukee LGBT Community Center Shelley Gregory, Milwaukee LGBT Community Center

The meeting was called to order at 2:35 p.m. by Commissioner Roman.

#### 1. Approval of minutes from December 21, 2016 meeting

Commissioner Roman moved to approve the meeting minutes from the December 21, 2016 meeting. Commissioner Snell seconded. Minutes approved unanimously.

#### 2. Budget Presentation - Mark Nicolini (Budget & Management Director)

Commissioner Roman thanked Mark Nicolini for attending the ERC meeting to talk about the budget. Commissioner Roman stated the ERC requested this presentation to get a better idea of the budget approval process as the Commission works on the ordinance rewrite.

Mr. Nicolini stated that any of the Commissioners can contact him directly with any questions or follow-up information. Mr. Nicolini stated the city has been able to do a good amount for the community even though the budget is very tight and it can be hard to make ends meet. Mr. Nicolini explained the budget structure and stated the city of Milwaukee has a 1.5 billion dollar budget and supports 6700 FTE employees and 26 city departments. He stated 1.2 billion comes from the tax levy, \$264 million coming from the property tax levy. Mr. Nicolini went over the 4 components of the tax levy supported budget; general city purposes (operating budget-police, fire, sanitation, health department, libraries, etc.), retirement provisions (pensions), capitol and city debt budget, and the contingent fund. Mr. Nicolini stated the 3 revenue sources that

provide the most funding to the annual budget are intergovernmental revenue, property taxes, and user charges. He also stated that increasing the funding coming in from these areas was very limited. Mr. Nicolini also there has been a substantial decrease in how much the city receives from State Shared Revenue and the Expenditure Restraint Program (ERP). He stated the money no longer coming to the city is currently going to medical assistance, elementary and secondary school aid, and corrections. He stated the city has a 12-16 million dollar "deficit" (difference between available revenues and ongoing service costs) in the 2018 budget but that it will end up balanced in the end.

Commissioner Ordonez asked if local municipalities had any power in addressing the steep decline in funds from the State Shared Revenue. Mr. Nicolini stated there have been persistent attempts to conserve and grow the shared revenue amount (Milwaukee belongs to the League of Municipalities), but he stated the efforts have not been very successful. Commissioner Snell asked if any of the budget reductions disproportionately affect marginalized communities. Mr. Nicolini stated he would get back to the Commission with a more specific report, but that in the previous years the biggest reductions have been seen in the Fire Department, and that they have tried to make reductions in places that do not have direct impact on services. He also stated there were some deductions in the Department of Public Works and the Department of Neighborhood Services Code Enforcement. Sharon Robinson stated that the city has worked to use grants and other funding sources to keep low income programming running. She shared that now that DOA has a grant manager they have brought in over 500 million dollars in grants since 2004.

Mr. Nicolini went on to talk about the Mayor's Strong Neighborhoods Plan started in 2014 which focused on loan programs, demolitions, commercial investment, loans for small home repairs, selling improved properties that the city took over due to tax foreclosure, etc. He also talked about city programs (like KIVA) which provide loans for people of color looking to start a business. Mr. Nicolini shared that the city has worked to improve the Resident Preference Program. He talked about initiatives started by DOA including a college savings program and initiatives such as Milwaukee Fatherhood, My Brother's Keeper, etc.). Mr. Nicolini shared the city has also started programs and initiatives to bring the city into ADA Compliance.

Mr. Nicolini stated the city has also been focusing on Employment Diversity. Commissioner Roman asked if there were any initiatives focused on hiring a diverse group of employees for the large development projects taking place downtown. Ms. Robinson stated that the Workforce Development programs focus on that. Commissioner Ordonez asked if the city tracks the needs of companies/developers and any reasons they may not want to develop in the city. Mr. Nicolini stated the ERC should follow up with the Area Workforce Investment Board for that information. Commissioner Snell asked about oversight and tracking of success. Mr. Nicolini stated

the Mayor's Accountability and Management department do a good job with oversight on these programs. He also stated the city does a lot of data analysis and tracking.

Mr. Nicolini went over the Budget Process, stating that the city sends out budget instructions in the middle of March, requests are due in the beginning of May, and then the Budget Office works on the budget through September. Mr. Nicolini stated the best time to get budget input from people would be between May and September. He stated the Mayor has to present the budget by September 28th. He then went on to say the Finance & Personnel Committee holds budget hearings in October, budget amendment hearings take place the first week of November, and then the Common Council should adopt the 2018 budget by November 10, 2017. Commissioner Roman asked about ways the community can be involved in the budget process before the hearings. He also asked if the ERC could help facilitate community involvement. Mr. Nicolini stated community members should attend town hall meetings in their neighborhoods, and that he welcomes the ERC to assist with community involvement prior to the hearings in October. Commissioner Roman stated the ERC wanted to be more proactive in being involved in the full budget process. Commissioner Ordonez and Commissioner Snell stated that the ERC is planning to start meeting out in the community and will work toward getting the community involved in the budget planning. Mr. Nicolini advised it would be helpful to focus any community meetings about the budget on a certain issue in order to streamline the process.

### 3. Office of African American Affairs – Nate Holton (Milwaukee County Deputy Chief of Staff)

Commissioner Roman introduced Nate Holton from Milwaukee County's Office of African American Affairs. He stated that as advocates for the community and conduits of information, the ERC had requested more information about the Office of African American Affairs. Commissioner Roman stated that he had reached out to Alderman Rainey to speak to the ERC about the city's Office of African American Affairs, but that he was unable to attend the January meeting.

Nate Holton stated that the county is having the same budget struggles as the city, and that their resources are declining as well. Mr. Holton stated that the county is working to increase the vehicle registration fee to \$60 to help with the deficit. He invited the ERC to be involved in the county budget process, and to encourage the community as well. Mr. Holton stated that one of the positions in the County's Office of African American Affairs will have a grants manager that will be working to raise funding.

Mr. Holton stated the County's Office of African American Affairs was approved and fully funded in the summer of 2016. He stated there are 4 full-time positions (Director, Grants Manager, Research and Programs Manager, and the Community Engagement Specialist). He stated there will be a report put out in the near future. Mr. Holton stated that Milwaukee is still amongst the worst for racial inequalities. He stated the

infrastructure has been built around data and reporting and has focused on workforce development, black business development, and a program called Opportunity Knocks in which the county takes foreclosed homes and has people from the House of Corrections renovate the house (providing them with job training), and then selling the house to a Section 8 Voucher holder. He stated they are currently piloting the program and have started with 1 home. Mr. Holton stated another big focus is Criminal Justice Reform. He stated they would be bringing in data from CCAP to analyze outcomes, to measure recidivism of the County's re-entry programs, and finding the individuals eligible to have their record expunged.

Mr. Holton stated there would be a meeting on January 31st (place and time TBA) that would cover the 2017 State Legislative Agenda and criminal justice reform. He said the County's OAAA's main focus is legislation. Commissioner Roman asked if the County's OAAA was looking at Juvenile Justice issues and Mr. Holton stated they were only focusing on adult Criminal Justice, but that the County's Department of Health and Human Services was focusing on Juvenile Justice because they oversee the system.

Commissioner Roman asked to talk about the connection between the County's and City's OAAA. Mr. Holton stated the city has presented a proposal that the County is currently looking over, but that details have not been ironed out yet. He stated the County's OAAA will be more of a policy making office, which makes it important for their office to be at the County Courthouse. He stated the City is funding a Community Coordinator that would report directly to the City's OAAA, but that the County would work with the City to iron out those details. Commissioner Ordonez asked where actual community engagement would take place if the County's OAAA is focused primarily on policy. He also asked how the ERC can support the County and City's OAAA. Mr. Holton stated the County's Community Engagement Specialist would be doing most of the direct community engagement work and then would support the local organizations that have already been working on community engagement. Mr. Holton stated the ERC should get connected with the County's Human Rights Commission. He also stated that the County's OAAA could use help from the ERC in community outreach.

Commissioner Ordonez asked when the County would have a response to the proposal from the City. Mr. Holton stated they would respond within the next month and that the County's OAAA would be fully staffed by April.

#### 4. Ordinance Rewrite Update

Commissioner Ordonez stated that the new ERC Commissioners had the same things in mind as the rest of the Commission when it came to the Ordinance rewrite.

Commissioner Ordonez went over some of the proposed changes including updating language, keeping internal review of City Departments, keeping the focus on

prevention and education instead of mitigation, and transgender protections and complaint process. He also stated that the sub-committee proposed that employment protections be removed from the ordinance since DER and the Equal Rights Division handle employment complaints.

Commissioner Ordonez stated there would be a second ordinance rewrite meeting on February 10<sup>th</sup> and then the ordinance would be presented to the whole ERC body for review. Commissioner Snell stated that Ben Roovers was working on a rewrite which would be available for the sub-committee rewrite meeting. Commissioner Roman asked about the next steps of the rewrite. Director Robinson stated that the sub-committee would discuss the next steps in the meeting in February, but also that the chair (Commissioner Roman) and other Commissioners should be reaching out to Council members to give them a heads up on the rewrite. She advised that the Commission follow protocol when meeting with the Council members (Council President, Chair of Judiciary Committee, etc.). She also stated that the Mayor's Office has been notified.

Commissioner Roman asked about potential budget considerations (fiscal note) that may be attached to the ordinance rewrite. Commissioner Ordonez stated we could discuss that in the second rewrite meeting, but Director Robinson stated it would be difficult to add resources/funding to the ERC. Commissioner Snell stated that the Commission would work to use the current staff and resources and Commissioner Ordonez stated this discussion could be part of strategic planning in the future. Commissioner Roman stated he would like the Ordinance Rewrite to be a standing item on the agenda. There was a discussion about a realistic timeline of rewriting the ordinance and doing the groundwork to introduce it to the Council. Commissioner Roman stated he was ready to reach out to key players right away. Commissioner Snell moved that the Commission give the Chair and Vice-Chair to move forward with communications at their discretion. Commissioner Moua seconded.

Commissioner Ordonez asked who the leading transgender advocacy organization is in the City of Milwaukee (besides the LGBT Community Center). Commissioner Snell stated he has reached out to Forge and the Community Center. He introduced Shelley Gregory and Syd Robinson from the Milwaukee LGBT Community Center and stated they would be willing to work with the ERC on the Ordinance Rewrite. Shelley Gregory thanked the Commission for taking on the ordinance rewrite and stated that the ordinance had both practical and symbolic meaning for the transgender people in our community who do not have many protections. Shelley talked about the importance of community input for the rewrite and stated that it may be beneficial to leave employment protections for sexual orientation in the ordinance. Commissioner Roman asked the subcommittee to put together a robust community engagement strategy for the rewrite. Commissioner Snell also stated that he had reached out to the National Center for Transgender Equality and they were willing and ready to look at the rewrite and assist in the process. Commissioner Ordonez stated that it was not the intention to

remove protections surrounding employment, but that it was important for the Commission to find where they can be most effective and what the ERC has oversight of. He also talked about the importance of having stakeholders involved. Shelley stated that the LGBT Community Center was ready and eager to assist in any way possible.

#### 5. Community Meeting Locations

Commissioner Snell moved that the ERC schedule the April ERC meeting at the Milwaukee LGBT Community Center. Commissioner Roman suggested there be an after-hours meeting that day to accommodate community members who work. The April 19<sup>th</sup> ERC meeting will be held at 5:30pm at the Milwaukee LGBT Community Center (1110 N. Market Street, floor 2).

#### 6. Community Dialogue / Events

Jessica Langill stated that Human Rights Day is on December 9<sup>th</sup> this year, which is a Saturday, so the ERC could reserve the City Hall rotunda on the 8<sup>th</sup> or 10<sup>th</sup> for their event. Commissioner Snell stated that there would be more traffic on Friday. He also stated that the County wanted to partner with the City for this event. Commissioner Roman appointed Commissioner Snell and Moua to work on the event.

Commissioner Snell stated that there was an event going on for the LGBT Chamber of Commerce later today at the Pfister. Ms. Langill also reminded the Commissioners that she had sent out information about the Alverno LGBT Forum and that if they wanted to attend they could find the registration info in their email. Commissioner Moua stated the Hmong National Development Conference that would bring Hmong people from across the country to Milwaukee on April 21-23. She stated she would send information to Ms. Langill to get out to the Commissioners and they could think about being involved/sponsorship. Commissioner Roman stated that February was Black History Month.

#### 7. Next Meeting is Wednesday, February 15th at 2:30pm

Commissioner Ordonez stated he would not be present for this meeting. Commissioner Roman stated that the ERC would meet the 3<sup>rd</sup> Wednesday of every month for the remainder of 2017.

#### 8. Adjourn

Meeting adjourned at 4:47 p.m.

\* \* \*

jml



## MINUTES BOARD OF EQUAL RIGHTS COMMISSIONERS February 15, 2017 at 2:30 P.M. in City Hall, Rm. 303

#### **Present:**

Commissioner Jeffery Roman, Chair
Commissioner Sheila Ashley
Commissioner Tony Snell
Commissioner Mayhoua Moua
Sharon Robinson, Dept. of Administration
Jessica Langill, Dept. of Administration
Ben Roovers, City Attorney's Office
Rebecca Rabatin, DOA Budget & Management
Adam Wickersham, Legislative Reference Bureau
Syd Robinson, Milwaukee LGBT Community Center

Absent: Commissioner Marquette Baylor Commissioner Chez Ordonez Commissioner Aldira Aldape

The meeting was called to order at 2:40 p.m. by Commissioner Roman.

#### 1. Approval of minutes from January 18, 2017 meeting

Commissioner Snell moved to approve the meeting minutes from the January 18, 2017 meeting. Commissioner Moua seconded. Minutes approved unanimously. Commissioner Snell requested follow up on the additional information from Mark Nicolini about the budget timeline and budget cuts. Jessica Langill stated she would follow up with Mark and request the information for the next meeting.

#### 2. Ordinance Rewrite Update/Outreach Plan

Commissioner Roman stated that there has been a sub-committee meeting to work on the ordinance rewrite. Commissioner Snell stated that Adam Wickersham from the Legislative Reference Bureau had taken on rewriting the ordinance with feedback from Ben Roovers (City Attorney's Office). He stated that a draft would be available within two weeks. Mr. Wickersham stated that the ERC Ordinance was far too long. Mr. Wickersham said he would leave out the day-to-day workings of the ERC and would cut other sections that were redundant or unnecessary. He also let the Commissioners know that the ERC had internal and external subpoena power by state law. Mr. Wickersham brought up the fact that there are no protections for the transgender community in the current ordinance and that he would write those protections into the rewrite. He stated that under the new ordinance the ERC could focus on outreach, investigation, and internal compliance, and that the ERC would give the Mayor's Office

and Council an Annual Report. Mr. Wickersham stated that it would be best to not talk specifically about housing and employment protections, but to leave it open so that the protections in the ordinance would cover any form of discrimination against the listed protected classes.

Mr. Wickersham stated that he would leave it up to the Commission to decide what protected classes would be listed in the ordinance rewrite. He brought up additional protected classes he found in other city ordinances. Commissioner Snell asked if Mr. Wickersham would put together a list of protected classes that could be discussed at the next ordinance rewrite meeting. Mr. Wickersham stated that the more protected classes put into the ordinance, the harder it may be to get a majority vote from the Council (especially for groups of people the Council may have never heard of). Mr. Wickersham stated the protected classes would be defined in the ordinance.

Commissioner Snell stated that the ordinance rewrite would also cover those with differing abilities. Rebecca Rabatin thanked Commissioner Snell for attending the ADA Training and stated that all city employees who have regular contact with the public will be required to take the training.

Ms. Robinson stated that there had been discussion at the sub-committee meeting about beefing up the penalties listed in the ordinance for non-compliance and about adding two more Commissioners to the ERC. Ben Roovers brought up the question of the enforcement mechanism for the penalties and Mr. Wickersham stated he would research the enforcement mechanism and would let the sub-committee know what he found at the next meeting.

Commissioner Roman stated he would start reaching out to the Council and letting them know about the rewrite. Ms. Robinson stated he should reach out to the Council in order of: Council President, Judiciary Chair, the rest of the Judiciary members, and the remaining Council members. Ms. Robinson stated that the ERC should shoot for getting the Judiciary Chair to author the ordinance. Ms. Robinson stated Commissioner Roman should reach out as soon as possible and start meeting with the Alders. Commissioner Roman stated he would start setting up the meetings and would let the other Commissioners know who he was meeting with so at least one other Commissioner could join in on the meetings. Ms. Robinson stated she could request that Commissioner Roman present at the cabinet meeting in March or April to give an update.

Commissioner Roman asked what it would take to get an equal rights Cabinet level position and to build equal rights infrastructure in Milwaukee. Ms. Robinson talked about Milwaukee's budget constraints and diminishing aid makes it extremely unlikely. She stated there may be opportunities to build and grow in the future over a period of time. She stressed the importance of building relationships within the city departments. Commissioner Ashley stated the ERC should stop comparing themselves to Madison

based on the major ideological and political differences in Milwaukee vs. Madison. She stated there were many conservatives holding political seats in Milwaukee.

Mr. Wickersham stated he would let Ms. Langill know when the ordinance rewrite was completed and then Ms. Langill would schedule a sub-committee meeting before the next full Commission meeting. At that time the full Commission will be updated on the draft and progress of the rewrite.

#### 3. Human Rights Day

Commissioner Snell stated himself, Commissioner Mayhoua and Ms. Langill had met to begin planning the ERC's Human Rights Day event. He stated Milwaukee County's Human Rights Commission had appointed one of their Commissioners to work with the planning team and that the event was scheduled for December 8th in the City Hall rotunda. He stated various organizations would be invited to set up tables and do presentations throughout the day and that cultures and food would be shared. Commissioner Snell also stated that the planning team hoped the ERC and the County's HRC would present awards to members of the community and that the Mayor's office would issue Proclamations. Commissioner Snell stated the next step would be another planning meeting with the county Commissioner and then there would be a presentation to the Commissions and discussion about the award process. Ms. Robinson asked if there was a budget and Commissioner Snell stated the planning team had hoped there would be very little cost to the ERC as community organizations would donate their time and resources to the event. A discussion about advertising and outreach occurred including talk of social media, emails, community papers, the use of the City Channel, a promo video, the City's PR team, etc. Ms. Robinson stated the planning team should consider involving the City's Youth Council as well.

#### 4. Hmong National Development Conference Sponsorship and NCRC Funding

Commissioner Moua stated the Hmong National Development Conference was coming to Milwaukee April 21-23 at the Hyatt Regency Hotel. She stated that the ERC had sponsored events in the past and that it may make sense for the ERC to sponsor a table at this conference. Ms. Moua stated that the table sponsorship price was extremely high but that there could be other ways the ERC could be involved.

Commissioner Roman asked if there was a way to host an event at City Hall the day before the conference to welcome people to Milwaukee. Ms. Robinson stated that there could be a public welcome at the event but that the ERC would have to reach out to the conference's planning committee. Commissioner Snell stated this was a great way to reach out to the Hmong community and let them know about the ERC. Commissioner Ashley asked if there was a way to partner with Visit Milwaukee for a table but Commissioner Snell stated Visit Milwaukee would most likely not have a table.

Commissioner Moua stated she would find out more information about ways for the ERC to be involved once she talked with the planning committee again.

Commissioner Roman stated that it would be good for the ERC to sponsor a table and find a way to partner for the opening reception. There was discussion about marketing materials and the old banner and pens. Commissioner Moua stated that the ERC could share a table with her organization so they could the non-profit rate for the table.

Commissioner Roman stated the Milwaukee Fair Housing Council had invited him to attend the upcoming National Community Reinvestment Conference in DC and that Ms. Langill would be attending as well to represent the city's CDBG department. Commissioner Ashley stated that the conference would be very relevant and that it would be good for Commissioner Roman and Ms. Langill to attend. Commissioner Roman stated that his registration fee and up to \$650 traveling expenses would be covered by the Milwaukee Fair Housing Council but that he may still need some additional funding to attend. Commissioner Snell motioned for the ERC to cover remaining expenses up to \$1500 for Commissioner Roman to attend the NCRC conference. Commissioner Ashley seconded the motion. Commissioner Roman stated he would let the Commission know how much his remaining expenses came out to.

#### 5. Commissioner Business Cards

Commissioner Snell stated it was important for the ERC Commissioners to have business cards when out in the community. Commissioner Roman stated that the older Commissioners already have business cards but that the newer Commissioners should get cards. After discussion it was realized that the old business cards had incorrect information so all Commissioners would need cards. Ms. Langill stated she would do some pricing and find the cheapest option.

#### 6. Statement from ERC

Ms. Langill asked the Commissioners if they wanted to put together a formal statement of support that could be put on the website about immigration, Milwaukee being a sanctuary county, and about other issues happening with the new Administration. Commissioner Roman stated that the statement could tie together the ERC's support for those being affected by what's going on nationally and the need for the ordinance rewrite. Ms. Robinson stated that a statement about the ordinance rewrite would have to be sent out after the Council was made aware of the rewrite. Ms. Langill stated she would put together the draft of the statement and bring it back to the Commission after Commissioner Roman's outreach to the Council.

#### 7. Future ERC Meetings in the Community

Commissioner Roman stated the March ERC meeting would be held at City Hall and that the first Community listening meeting would be held at the LGBT Center in April. Commissioner Snell stated that he and Ms. Langill would be meeting with Shelley Greggory from the LGBT Center and Michael Munson from Forge to discuss logistics of the listening session. He stated that he would bring any concerns or updates to the next commission meeting. Commissioner Roman asked what the vision was for the event and Commissioner Snell stated it would be a listening session more than anything else. He stated that after any ERC business was discussed that Shelley and Michael would lead a community discussion. Commissioner Roman suggested there be a discussion about the ordinance rewrite including community feedback.

Commissioner Snell stated he has been talking to Patricia Ruiz-Cantu and Rebecca Rabatin about opportunities for future listening sessions in other communities. Ms. Rabatin stated the ADA community had already requested a listening session. Commissioner Roman stated that it would make sense to hold a listening session in a different community every quarter. Commissioner Roman stated that once there was a draft of the new ordinance that the commission could talk about a way to engage the community in feedback, which would be separate from the listening sessions. Ms. Langill stated a public notice and invite would be sent out. The Commissioners and ADA Coordinator would reach out to their contacts about the event.

#### 8. Community Dialogue / Events

Commissioner Roman reminded the Commissioners to attend the Mayor's State of the City Address on March 6<sup>th</sup> at the Harley University Center. Ms. Langill reminded everyone to RSVP. She also announced the LGBT forum being hosted at Alverno College on February 16<sup>th</sup>, the UWM Drag Show on the 18<sup>th</sup> at 7pm at the Milwaukee Theater, the LGBT Summit on the 25<sup>th</sup> (that Jessica, Jeff, and Tony will be attending), the Black History Month program being put on by the Council at City Hall on February 24<sup>th</sup> at 2pm, and the LGBT Resource Fair being put on by the LGBT Chamber of Commerce on February 21<sup>st</sup> from 5:30-7:30. Commissioner Ashley asked Ms. Langill to send out a list of events to the Commissioners. Commissioner Moua announced the Southeast Asian Health Fair on March 18<sup>th</sup> at the Holiday Inn. She said she would send a flyer to the Commissioners. Ms. Langill requested that the Commissioners keep her updated on any community events attended for future reporting. Commissioner Snell suggested that the Commissioners get a City ID to stand in solidarity.

#### 9. Next Meeting is Monday, March 20th at 2:30pm

#### 10. Adjourn

Meeting adjourned at 4:11 p.m.

\* \* \*

jml



#### MINUTES BOARD OF EQUAL RIGHTS COMMISSIONERS March 20, 2017 at 2:30 P.M. in City Hall, Rm. 303

Present: Absent: Commissioner Chez Ordonez

Commissioner Jeffery Roman, Chair
Commissioner Sheila Ashley
Commissioner Tony Snell
Commissioner Mayhoua Moua
Sharon Robinson, Dept. of Administration
Jessica Langill, Dept. of Administration
Patricia Ruiz-Cantu, Dept. Of Administration
Ben Roovers, City Attorney's Office
Rebecca Rabatin, DOA Budget & Management
Shelley Gregory, Milwaukee LGBT Community Center

The meeting was called to order at 2:45 p.m. by Commissioner Roman with no quorum. Quorum effective at 2:51pm.

#### 1. Approval of minutes from February 15, 2017 meeting

Commissioner Ashley moved to approve the minutes, seconded by Commissioner Moua. No objections, minutes approved unanimously.

#### 2. Community Listening Session Logistics Discussion (Shelley Gregory, LGBT Center)

Commissioner Snell stated that himself, Jessica Langill (DOA), Shelley Gregory (LGBT Center), and Michael Munson (FORGE) had met on President's Day to discuss the logistics for the Community Listening Session. He stated that Jessica would be handling the logistics on the ERC end and Shelley and Michael would be working on the format and running the listening session. Commissioner Snell said that he stepped back from planning so that it was not a Commission-driven listening session.

Shelley Gregory stated that they have reached out to a few community members to speak at the beginning of the session in order to set the tone and encourage others to speak. Shelley stated that they are promoting it as much as possible and that it would be hard to predict how many people will attend. Shelley said they were hoping that the first 10 minutes of the meeting could be for any Commission business and for the Commissioners to introduce themselves. Shelley stated they would then set some

listening guidelines for the group and that each speaker would have a 3 minute limit. There will also be ways for people to write what they want to share instead of having to speak to the group.

Commissioner Snell suggested that a survey be prepared and Ms. Langill stated she would put that together. She also stated that the ERC would be providing refreshments. Commissioner Moua motioned that the ERC provide up to \$50 to be used for refreshments. Commissioner Snell seconded. Commissioner Roman asked if there would be ongoing engagement after the Listening Session. Commissioner Snell brought up the Ordinance Rewrite and mentioned that discussions surrounding that could be used as ongoing engagement.

#### 3. Ordinance Rewrite Update

Ms. Langill stated that Adam Wickersham from LRB provided the committee with an ordinance rewrite draft and that the committee had met to discuss it. She stated the committee had put together changes and additions and that Mr. Wickersham would come back with another draft. Ben Roovers (City Attorney's Office) stated that there had been a discussion about due process. He brought copies of the code of ethics for Milwaukee's ethics committee that would be used to help identify due process for the ERC. Ms. Langill also stated that the committee had discussed potential hate crime legislation that could be put together in the future. Commissioner Snell stated that the committee had talked about broadening the scope of protected classes and the investigation process.

Commissioner Roman asked what the timeline might look like and talked about meeting with Alders. He stated that his first meeting was set for April 3<sup>rd</sup> with President Hamilton. Commissioner Roman stated that they would need support from members of the Judiciary Committee and that the Commission would need to find authors for the rewrite. Commissioner Roman stated he would like the ordinance to be approved before the budget cycle began, or at least by summer.

Commissioner Ashley asked if the committee could work toward getting everything done for the ordinance rewrite by June so that it could be used in celebration of Pride Month. Commissioner Snell stated that the weekend of PrideFest is also the anniversary of the Orlando Shooting. Commissioner Ashley stated that if the ordinance could be presented at PrideFest that it would give the ERC great momentum and that there is a sense of urgency to get the ordinance done to show Milwaukee's solidarity with the LGBTQ+ communities. Ms. Langill stated that the ERC should be able to present during the opening ceremonies. Commissioner Roman suggested that a public statement be put out about the ordinance and immigration rights after the ordinance is complete. Commissioner Snell stated he would work on the PrideFest end. Ms. Langill stated that

the Ordinance would not be approved by Council before Pride but that the Commission could still talk about the draft and get community support.

Commissioner Snell also stated that the rewrite committee had talked about what the ERC could do if a business that needed a license from the city committed some type of discrimination. He stated that Mr. Wickersham had told them that the ERC could request to testify to the licensing committee or submit a statement about the business that would then be considered next time the business needed to renew their license with the city. Commissioner Snell suggested that the Commission be more proactive. Commissioner Ashley stated that if a company committed a high level of discrimination that the ERC take it on themselves to get the media involved and to really draw attention to the issue.

Commissioner Snell brought up the Milwaukee ID and stated that it could be written into the ordinance rewrite as a protected form of ID and that it could not be refused for discriminatory reasons.

#### 4. ERC Outreach Plan

Commissioner Roman stated he had met with Director Robinson and Ms. Langill last week to discuss a preliminary ERC Outreach Plan. He stated that he wanted the rest of the Commission to be engaged in the process and that he would like any Commissioners who were interested to join in on meetings with the Alders and key organizations. Ms. Robinson stated that the Outreach Plan was drafted to reflect previous outreach discussions from the Commission.

Ms. Langill read through the outreach plan and talked about the list of people and organizations that the ERC should connect with to start building mutually beneficial relationships. Ms. Langill asked that the Commissioners look through the list and provide any contact info they may have that she was not able to find.

Commissioner Moua stated that she would send information to Ms. Langill about the key Hmong/Asian organizations to be added to the list. Commissioner Snell asked that Cecilia Gilbert from Visit Milwaukee's Multicultural Committee. Commissioner Roman stated Milwaukee Pride should be added as well. Commissioner Ashley stated all the Chambers should be added. Ms. Robinson suggested that the Commissioners email Ms. Langill if they thought of any other contacts to be added to the list. Commissioner Moua suggested to add Catholic Charities, Lutheran Social Services and the Pan African org. Commissioner Sheila added AARP, Ms. Rabatin suggested Disability Rights of Wisconsin. Commissioner Snell suggested FORGE and ARCW.

Commissioner Roman stated that the list will be helpful in really starting to engage communities with the ERC and increase visibility as well as to support community organizations. Ms. Robinson stated that since the list is so long that there did not have

to be individual meetings with everyone, but that there could be group meetings or roundtable discussions with multiple orgs/contacts at once. Commissioner Ashley also suggested that Commissioners could attend elected official's neighborhood meetings and talking sessions and be introduced to their constituents.

Ms. Langill talked about the outreach method which would begin with Commissioner Roman being introduced at the cabinet meeting on May 18th. Other outreach methods included attending community events, tabling, 1-on-1 meetings with Council Members, a Black Male Achievement Advisory Council briefing, meeting with State Reps, marketing materials, attend landlord events, get an ERC facebook page, etc. Commissioner Roman reminded everyone to send in an updated bio and picture for the website.

Ms. Langill then talked through the timeline and Commissioner Snell stated that Human Rights Day be added to the timeline and stated the Yearly Report could be presented that day as well. Commissioner Ashley asked if each Commissioner should choose what outreach initiatives they would be responsible for so all the work did not fall on one person. Ms. Langill stated that Commissioner Roman was going to provide a block of time that he would be able to meet with Alders and then once meetings were scheduled she would send the info out to the other Commissioners so they could join in on meetings where they see fit. The Commissioners went through the Council list and stated which meetings they would like to join Commissioner Roman. Ms. Robinson stated that a meeting with the Mayor should be a priority.

Commissioner Snell brought up the HRC's Human Rights Index and stressed the importance of the Ordinance Rewrite and the effect it will have on the city's score. He stated that when meeting with the Mayor and Council Members that this should be discussed. Commissioner Ashley suggested that we add Pathfinders to the organization list as well in order to reach out to the younger population.

Commissioner Snell suggested that we put together a Google Docs so that Commissioners could just add their contacts directly to the document. Ms. Langill stated she would put that together. Ms. Langill went through the timeline for the outreach plan. She stated she would be putting together a one-page list of talking points for Commissioners to use when meeting with Alders and other internal contacts. The Commissioners discussed the outreach timeline and made some additions/changes. Commissioner Roman brought up hosting a city Commission meet-and-greet to get all the Commissioners together to build relationships and look for potential ways to partner.

#### 5. Community Dialogue / Events

Patricia Ruiz-Cantu talked about the Know Your Rights event focused on immigration that the ERC and the city is sponsoring. She stated that it will be held at the Mexican Consulate. Since the event was going to be in Spanish, Commissioner Snell stated he would be able to go to represent the ERC and would be willing to say a little about the ERC. Ms. Ruiz-Cantu talked about the fears in the immigrant community including fear of being stopped while driving and losing their children if the parents are deported. She stated that ICE did not have the right to go into homes or remove people without an order. She also stated that the city is celebrating Cesar Chavez Day on March 31st, and that the ERC would be providing a cake for the event at city hall.

Commissioner Snell stated that the Milwaukee LGBT Community was hosting a community meet and greet for all elected and appointed Wisconsin LGBQ+ officials. He stated this would also be the beginning of a partnership between the officials and LGBTQ+ organizations. Commissioner Snell also stated he would like the ERC to reach out to the Jewish community in response to the threats. Commissioner Roman stated that we should add the Milwaukee Jewish Federation and Milwaukee Jewish Council to the outreach plan. Commissioner Roman asked Ms. Langill to add a calendar to the ERC website.

Commissioner Moua stated that her organization will no longer be tabling at the Hmong Conference so the ERC can find another Hmong event to be involved in in the future. Commissioner Ashley stated the League of Progressive Seniors Medical Care March would be happening at the Federal Court House on March 22<sup>nd</sup> at 10:30am. The group will be asking Senator Ron Johnson to host a town hall to discuss the changes being proposed to Medicare, Medicaid and Obama Care. Ms. Ruiz-Cantu said there was a state budget hearing at the Washington Center this evening.

#### 6. Next Meeting is Wednesday, May 17th at 2:30pm

#### 7. Adjourn

Meeting adjourned at 4:20 p.m.

\* \* \*

jml



## MINUTES BOARD OF EQUAL RIGHTS COMMISSIONERS April 19, 2017 at 5:30 P.M., Milwaukee LGBT Community Center

**Present:** Absent: Commissioner Sheila Ashley

Commissioner Jeffery Roman, Chair Commissioner Chez Ordonez, Vice-Chair Commissioner Tony Snell Commissioner Mayhoua Moua

Jessica Langill, Dept. of Administration Patricia Ruiz-Cantu, Dept. Of Administration Ben Roovers, City Attorney's Office Rebecca Rabatin, DOA Budget & Management 70+ community members

The meeting was called to order at 5:45 p.m. by Commissioner Ordonez with no quorum. Quorum effective at 6:05pm.

#### 1. Introduction to LGBT Community Center

Introduction given by Karen Gotzler, Director of the LGBT Community Center. She also talked about Give Out Day (4/20/2017) and talked about the services the center offers. Karen also let the audience know about the Milwaukee City ID.

#### 2. Commission Introductions

Commissioner Ordonez began the introductions and each Commissioner talked about their involvement with the Commission and the community. Commissioner Snell also discussed the importance of updating the ERC Ordinance and having a listening session within the transgender community. Commissioner Ordonez introduced Jessica Langill, Equal Rights Specialist and Ben Roovers, Assistant City Attorney. Commissioner Ordonez encouraged the community members to come to meetings and be willing to speak out for their communities. Commissioner Snell recognized Rebecca Rabatin, ADA Coordinator, and Patricia Ruiz-Cantu, Milwaukee Outreach Manager. He also thanked

the center and FORGE and introduced Shelley Gregory (LGBT Center-Transgender Resource Specialist) and Michael Munson (FORGE-Executive Director & Co-Founder).

#### 3. Listening Session Introduction

Shelley Gregory talked more about the Equal Rights Commission and the Chapter 109 City Ordinance. Shelley discussed that gender identity/expression is currently a protected class and employment and housing discrimination against all protected classes in the city of Milwaukee is unlawful. Shelley also encouraged the community members to come to the ERC's monthly meetings. A community member asked when the Ordinance went in to effect and Commissioner Roman talked about the history of the Ordinance and the Equal Rights Commission. A community member asked what would happen if someone filed a discrimination complaint with the ERC. Commissioner Ordonez explained what the ERC is able to do and talked about the protections the ERC could give to transgender communities after the Ordinance rewrite. Ben Roovers also stated it would be considered a civil case and could not be prosecuted criminally. He discussed the process (complaint, review, presentation to commission, possible hearing). Commissioner Snell stated the ERC is hoping to add public accommodation protections in the Ordinance rewrite as well.

Michael Munson went over the guidelines about the listening session and let the community members know that the listening session was being recorded but that all names would be redacted from the public minutes. Michael asked the community to focus on transgender issues but acknowledged intersectionality. He stated the listening session would focus on challenges, ideal world hopes, and success stories.

#### 4. Community Listening Session

A community member stated that she has been homeless for the past five months and has been forced to go to men's shelters because her gender marker on her ID states Male. She expressed her fear of being assaulted at a men's shelter. Another community member echoed her concern and stated he had been forced to go to women's shelters even though he identifies as male.

A community member asked the Commission if they had a goal of making more gender neutral bathrooms available in the city.

A community member stated that at their previous place of employment (a restaurant) an interviewee had been turned away from an interview right away because they were transgender. The community member also expressed feeling a great deal of hate in the workplace.

A community member stated they were told they were not able to use the men's room and had to use a unisex bathroom. The community member stated there did not seem to be enough employer education about bathroom and accommodation laws.

A community member stated that there can be a great deal of confusion and issues with legal names and gender markings on forms.

A community member stated that it was very difficult to find gyms where transgender places could work out and change and feel safe in locker rooms. Another community member stated that they currently work at a University with gender identity/expression protections but that the rules are still very restrictive and unfair to transgender students using the locker rooms. This community member also stated that a big issue was a lack of education about transgender people and the belief that they are predators or will assault children.

A community member stated that they were asked to leave the premises of a bar in Milwaukee because of their gender expression.

A community member stated that they are concerned that the Ordinance rewrite (especially concerning public accommodations) will attract negative attention from the state or national level. This community member stated there needed to be preparation and education happening at the same time of the rewrite so that bathrooms and other public spaces do not become even more unsafe for transgender people in the city of Milwaukee. Commissioner Snell responded and stated that the Commission values education and that they will make sure to reach out to employers.

A community member stated that there need to be more protections for students at school and that they should be able to use the bathroom of their choice.

A community member said there needs to be less censorship from lesbian, gay, and cisgender people toward transgender individuals and that they should not be told not to be angry and that they were supported in the LGB community.

A community member stated that in the current social environment an ordinance rewrite could be very dangerous and bring about negative attention to transgender people, similar to what happened in Charlotte, NC. This community member stated that the transgender community members would be put on the front line after the ordinance rewrite and that they have the most to lose out of all LGBTQ people. Commissioner Ordonez responded and said that even though he is not part of the transgender community, that we are all one community. He stated that the LGB community gets discriminated against, but that he recognizes the transgender community gets the worst of the discrimination. Commissioner Ordonez talked about the importance of speaking up and fighting for the right to be treated like everyone else.

He stated that he will also stand up and be at the front line with the transgender community. He stated the laws have to be drafted and the battles have to be fought to bring about change.

Commissioner Ordonez reminded the audience that any restaurant or bar in the city of Milwaukee must get a license from the city to conduct business. He said that in the future he would like the Commission to speak out at Licensing Committee hearings against any business that discriminates against one of the protected classes, possibly stopping them from getting their license renewed. Commissioner Ordonez stated there is more than one path to social justice.

Michael Munson stated that many transgender people feel that their lives are on the line and that there can be a great amount of fear surrounding what can happen when laws change or ordinances are passed. Commissioner Snell reminded the group that the Ordinance already provides protections for transgender citizens in Milwaukee, but that the Commission is just trying to "amp up" the ordinance. He talked about the pushback that occurred during the fight for marriage equality, but that pushback is worth it to create change for future generations.

A community member stated that in an ideal world they would be able to find their gender identity listed on city forms. They also stated that there is a need for gender neutral/non-binary shelters. They expressed the amount of work that is going to need to be done and that they are not sure if the Commission understands how much work there will be. Another community member also talked about the difficulty of doing legal name changes and changing gender markers on stated IDs.

A community member reminded the Commissioners that they do not face the same scrutiny in the bathrooms as they do. They requested that gender neutral bathrooms are not focused on, but that the Commission focuses instead on more important issues like homeless transgender people and workplace violence/discrimination. This community member asked about the plan the Commission had for working with local employers to make sure rules were followed before there had to be discrimination complaints and issues. Commissioner Snell stated that the Commission had worked with their city attorney to model the Ordinance after other Wisconsin city ordinances. Commissioner Snell stated public accommodations does not only include bathrooms, but that it is much broader.

A community member stated they would like more education provided to the city about non-binary transgender people. They also said as a cisgender ally that they would like to learn ways to assist the transgender community with their struggles.

A community member stated that they had recently moved back to Milwaukee and had faced racial discrimination and had issues with landlords being confused about the

legal name change because they think it could be a potential fraud/criminal activity issue instead of a transgender name change.

A community member stated that no person should have to sit in a hospital bed and question whether or not they would receive adequate care.

A community member stated that they feared that the President and his Cabinet would eventually get around to treating LGBTQ people the way they are being treated in Russia and that if they did not start standing up for themselves they would start losing the rights that they currently have. They said that the ordinance would not mean much once the President starts making laws against the LGBTQ communities.

A community member stated that when they were working with pregnancy doctors that when it was found out that they were a queer couple that they were immediately forced into doing a bunch of STD testing.

A community member expressed how the transgender community was there to support the battle for marriage equality but that they now feel excluded from the LGB community and don't feel that people from the LGB community are willing to fight for their rights. They expressed how scared they are in this political atmosphere.

A few community members expressed their concern about transgender health coverage and issues they will most likely have in the future when it comes to retirement.

Community members shared success stories including employers (Diamond Nexus Labs) and schools (Escuela Verde, Lloyd Barbee Montessori, UWM) that respected pronouns/name changes and allowed people to use the bathroom of their choice, the overall acceptance in Riverwest, assistance with name changes at the DMV, a transgender advocate at the midtown Planet Fitness, and acceptance from TSA while traveling.

Commissioner Roman thanked everyone for their bravery, concern, and suspicions. He stated the Equal Rights Commission is stationed under the Department of Administration at City Hall and that there are many other divisions in DOA that can be potential partners to the ERC. He stated that the ERC can help craft and develop policy proposals that other departments in DOA take to the state and national level. He expressed the importance of the stories from community members that will be used to create and draft needed proposals. He asked the audience to come to the monthly ERC meetings and to continue to collaborate with the Commission.

Commissioner Ordonez stated the Commissioners were there to echo the voice of the community, not be their voice. He stated that what is done in the city of Milwaukee sets

a precedence for other sister communities and what happens in different states. Commissioner Ordonez stressed the importance of educating the community, employers, restaurants & bars, city departments, etc. He also stated that the Commission should work on highlighting businesses that are already being open and affirming.

Commissioner Snell reminded the audience that the ERC is organizing the first Human Rights Day at the City Hall rotunda on December 8<sup>th</sup> to recognize and educate the community. He reminded everyone to complete the surveys and also encouraged everyone to check out the ERC website and let Jessica know of any recommended changes or additions that should be added to be more helpful to the community.

#### 5. Approval of minutes from March 20, 2017 meeting

Commissioner Ordonez moved to approve the meeting minutes from the March 20, 2017 meeting. Commissioner Snell seconded. Minutes approved unanimously.

#### 6. Next Meeting is Wednesday, May 17th at 2:30pm

#### 7. Adjourn

Meeting adjourned at 7:15 p.m.

\* \* \*

jml



#### MINUTES BOARD OF EQUAL RIGHTS COMMISSIONERS May 17, 2017 at 2:30 P.M., City Hall, Room 303

#### **Present:**

Commissioner Jeffery Roman, Chair Commissioner Chez Ordonez, Vice-Chair Commissioner Tony Snell Commissioner Mayhoua Moua Commissioner Sheila Ashley

Sharon Robinson, DOA Director
Jessica Langill, Dept. of Administration
Patricia Ruiz-Cantu, Dept. Of Administration
Ben Roovers, City Attorney's Office
Adam Wickersham, City of Milwaukee LRB
Rebecca Rabatin, DOA Budget & Management
James Carnell, Community Member
Kevin Isaacson, Community Member
Shelley Gregory, Milwaukee LGBT Community Center

The meeting was called to order at 2:36 p.m. by Commissioner Roman

#### 1. Approval of Minutes from April 19, 2017

Commissioner Ordonez moved to approve the meeting minutes from the April 19, 2017 meeting. Commissioner Snell seconded. Minutes approved unanimously.

#### 2. Community Listening Session Feedback

Commissioner Roman asked Jessica Langill to go over the feedback report she had compiled from the surveys collected from the Listening Session at the LGBT Community Center. Ms. Langill reported that out of 14 participants, 12 found the listening session very valuable and 2 found it somewhat valuable. Out of 14 participants, 11 said they felt very comfortable contacting the ERC for assistance & resources, 2 said they were somewhat comfortable, and 1 said they were neutral. Responses to the question "what can the ERC do to better serve the needs of your

community?" included more education, more outreach & promotion, the realization that transgender issues are more than just the bathroom debate, clarify steps to file complaints, and make more public announcements of support (TV, radio, interviews, etc.). Responses to the question "what can the city of Milwaukee do to better serve the needs of your community?" included penalize anti-LGBT offenses more stiffly, understand transgender and non-binary people, work harder to help segregated communities, provide more info about LGBTQ businesses, and have other city departments hold listening sessions as well. Ms. Langill suggested that the ERC continue to do more listening sessions in other communities as well.

Commissioner Roman thanked the LGBT Community Center and FORGE for putting the listening session together and he stated he wants the community to hold the ERC accountable for continuing to work for equality for the LGBTQ community. He stated he wants to continue to partner and build relationships. Commissioner Snell agreed that the listening session was a great success and that it was extremely important to hear all of the personal stories. Commissioner Snell asked the 2 community members at the meeting to state their name for the record if they felt comfortable. James Carnell and Kevin Isaacson both stated their names. Commissioner Snell stated that he and Ms. Langill had a follow-up meeting with some members of the community and he said that he would like to continue to have similar meetings regularly. Ms. Robinson stated that Ms. Langill had briefed the Mayor on the listening session. Ms. Langill reported the Mayor was supportive and had offered to do a listening session of his own for the LGBTQ community. Commissioner Ordonez stated the listening session was a testament to show how many passionate people there are around the issues. He stated it should push the ERC to do more for this community and use it to make the ordinance rewrite even better. Commissioner Moua stated that the Asian community doesn't always speak up, but that she would like to work more closely with the LGBT community and refer members from the Asian community to the LGBT Center.

#### 3. Ordinance Rewrite Updated/Discussion

Commissioner Roman stated there was an ordinance rewrite committee meeting on Monday, May 15<sup>th</sup>. Ben Roovers stated that they had been working on the draft #6. He stated it was a product of the meetings with the committee and the listening session. Mr. Roovers stated the "fluffy" language had been removed from the current draft and that it is meant to stick to concrete guidelines and build in a process for complaints to be heard at a city level. Mr. Roovers stated that the ordinance rewrite draft was created to provide more protections to the transgender community and that he feels that the current draft does that. He stated that credit score and criminal convictions as a protected class had been discussed by the committee but Ms. Robinson stated they had decided to hold off on adding those classes until capacity and workload issues had been addressed. Ms. Robinson said those additional classes could be phased in over the next few years.

Commissioner Ordonez asked if we could look at the workload and staffing of other cities and Ms. Langill stated that the LRB was currently doing an analysis looking at approximately 14 other cities and getting information on the number of complaints and staff they have. Commissioner Roman stated that this rewrite would give the city the opportunity to show its commitment to equality through building capacity and providing resources. Ms. Robinson stated that the LRB Analysis was not the fiscal note, but that information on what the cities spend annually will be included.

Commissioner Snell asked if the legal ramifications in the ordinance rewrite were solid and Mr. Roovers stated he had vetted them in the beginning and that he does not see that it would not have an issue withstanding judicial scrutiny. Mr. Roovers stated it would be up to the city to decide how they wanted to handle investigations and cautioned that the ERC just be careful in following due process. Ms. Robinson said the ordinance rewrite draft did a good job being clear about what the ERC can and cannot do and Mr. Roovers stated that the ordinance also does a good job at laying out the rights of those being accused as well. Commissioner Ashley stated that the committee had committed to creating a community infrastructure to assist with capacity and resources. She asked that community infrastructure be considered in the LRB Analysis. Ms. Robinson brought up partnership agreements and stated the LRB Analysis may be able to find a sample agreement that the ERC can use when creating community partnerships.

Shelley Gregory from the Milwaukee LGBT Community Center requested to give some feedback on the current ordinance rewrite. Gregory stated that the definition in section 109-5 for "sexual orientation" should be modified a bit due to the wording about "an enduring pattern." Gregory suggested that the entire definition be rewritten to be more mindful of the current understanding about sexual orientation and more closely mirrors the definition of "gender identity." Gregory suggested the definition should state that sexual orientation is a person's sense of their sexual orientation. Gregory also talked about leaving room for people who are asexual, or people that are attracted to multiple genders. Gregory stated the definition should not talk about attraction to the "opposite sex." Discussion and research on other existing definitions followed. Mr. Roovers stated that "sexual orientation" under the Wisconsin Fair Employment Act only included heterosexual, homosexual and bisexual "preference." Having a more broad definition in the ERC ordinance would open up protections for any other sexualities. Commissioner Snell stated that it was important for the ERC to cover anyone not covered under state and federal laws.

Commissioner Snell moved to adopt the current ordinance rewrite (with the modified language) and pending public feedback. After discussion Commissioner Roman entertained a motion to table Commissioner Snell's motion until the June meeting to allow time for more work to be done on the ordinance rewrite and the current definitions. Commissioner Ordonez seconded.

Mr. Wickersham stated that if the ordinance was tabled it would not be able to go out to the Alders. Mr. Wickersham stated that if the ordinance rewrite was voted on and passed by the Commission it would still be a "living document" that could be changed at any point, allowing for community feedback and definition changes. The Commissioners agreed that they wanted to be able to get it out to the Common Council as soon as possible. Ms. Robinson stated that the ERC was hoping to bring the final ordinance draft to the Judiciary and Legislation Committee in the July meeting. Shelley Gregory also stated that the "gender identity" definition may need some work and offered to take it back to the community and send the ERC a more inclusive definition to be used in the ordinance rewrite.

Commissioner Snell motioned to rescind the motion to table the ordinance rewrite until the next meeting. Commissioner Ordonez seconded. After no further discussion, Commissioner Snell motioned to adopt draft 6 of the ordinance rewrite. Commissioner Ashley seconded. All Commissioners voted in favor of adopting draft 6 of the Chapter 109 Ordinance rewrite.

Ms. Robinson asked the Commission to look at the proposed timeline and to think about how they were going to go about meeting with everyone necessary and reaching out to the community. Commissioner Roman said the ordinance rewrite committee could take over following through on the timeline and would work with DOA to schedule meetings and listening sessions. Ms. Robinson stated it was important to meet with the community organizations that work with the protected classes and get their buy in for the ordinance rewrite and potential partnerships. Commissioner Ordonez requested a fact sheet on the ordinance that could be used in meetings with the Alders and community organizations. Ms. Robinson asked Commissioner Ordonez to put together a key list of organizations that need to be notified about the ordinance.

Commissioner Ordonez recommended that the next community listening session for the ordinance rewrite should coincide with the next ERC meeting so that business could be handled first and the listening session could happen afterwards. Commissioner Roman asked the rewrite committee to schedule a meeting and talk about who needed to be invited to the upcoming listening session. Commissioner Ashley talked about the importance of all Commissioners reaching out to their networks. James Carnell (community member) suggested that the Commissioners attend some upcoming community events to spread the word about the ordinance rewrite and listening sessions. Commissioner Roman asked the community members to send any invites for community events to Jessica Langill and the ERC would do their best to send representation.

#### 4. Executive Order

Commissioner Roman stated that the ERC had been working with a number of community organizations to put together a response for the potential religious freedom executive order. Commissioner Snell stated that after the executive order came out it had less of an impact on the LGBTQ community than expected so the ERC and community organizations agreed to pull back and not issue a response at this time.

Commissioner Ordonez asked if there had been any statements from similar equal rights bodies that had gone out in response to the executive order. Commissioner Snell stated the ERC should reach out to religious organizations and the ACLU to see the impact on religious communities. Commissioner Snell stated that the executive order opened up the ability for religious organizations to participate politically without IRS and other issues. He also shared that the original expected executive order would have allowed business to deny services to LGBTQ people under the basis of religious freedom. Commissioner Snell stated that the community was prepared to take action but that they pulled back until it potentially comes up again in the future.

#### 5. Human Rights Campaign Municipality Equality Index

Ms. Langill stated that she had met with the Mayor who was very passionate about working to get Milwaukee's Index Score raised. She also stated that the Milwaukee Police Department had just assigned two LGBTQ Liaisons, which will add 10 points to the score. She stated that she and Commissioner Snell would be meeting with the Liaisons. Ms. Langill stated that Mayor's Office would be working to assign an LGBTQ Liaison. Commissioner Snell stated that the city should also be getting additional points for elected and appointed officials that are openly LGBTQ. He also added that the investment by the city to fund organizations that work with LGBTQ community members would add more points to our score. Ms. Langill stated she is researching CDBG funding and having the grant writer look into it.

Commissioner Ordonez asked what other steps needed to be taken to work on raising Milwaukee's HRC Index Score. Ms. Langill stated after the ordinance rewrite, an appointment of an LGBTQ liaison in the Mayor's Office and accurate reporting, the only other thing that was weakening the score was health care benefits for transgender city employees. She stated a meeting with Maria Monteagudo would be important to talk about those health care benefits. Commissioner Snell talked about the importance of reaching a 100%. The city of Milwaukee currently has a 71%. Commissioner Snell stated that the city has the ability to send in additional information to the HRC after receiving the initial score, and talked about making sure we were accurately reporting everything that the city is doing to earn the points.

#### 6. Future Listening Sessions

Commissioner Ordonez stated that the rewrite committee would discuss the upcoming listening session in their next rewrite meeting. Ms. Langill added that the disability community had requested a listening session at Independence First in July. Commissioner Ordonez suggested that the ERC set up that listening session in a similar fashion to the meeting held at the LGBT Center, with business being conducted first and then the listening session afterward. It was decided that the July ERC meeting would tentatively be held at Independence First.

Commissioner Ordonez asked how the ERC was going to be involved in PrideFest. Ms. Langill stated that someone from the ERC could speak during the Opening Ceremonies. Commissioner Snell stated he would talk to the organizers to get the ERC into the opening ceremonies. Commissioner Ordonez suggested the ERC work with the Mayor's Office to issue a proclamation to PrideFest for the 30th anniversary.

#### 7. Human Rights Day

Commissioner Snell went over some details for Human Rights Day (Dec. 8) planning. He stated there were some students from MATC that may be able to assist Ms. Langill in the planning and preparation of the day. Commissioner Snell read over proposed wording for the awards the ERC will give out for the day. Commissioner Ordonez asked about criteria, and Commissioner Snell stated the committee would work on specifics. Commissioner Ordonez stated the framework could also be used for the ERC's business approval program. Commissioner Ashley stated the Wisconsin Fair Housing Council did yearly awards and the ERC may be able to use their criteria. She suggested we reach out to the schools to create art for the day.

#### 8. Community Dialogue/Events

Kevin Isaacson (community member) stated they would be sure to pass info along for the transgender events coming up in the community. James Carnell asked if they would be able to mention the ordinance rewrite in the march for freedom speech. The Commissioners said they would be happy to work with James on what can be said. Commissioner Ashley stated she has learned so much from working with the community and is thankful for the opportunity to work with the transgender community.

9. Next Meeting is Wednesday, June 21st. ERC will be involved at Pride June 9th.

#### 10. Adjourn

Meeting adjourned at 4:07 p.m.



## MINUTES BOARD OF EQUAL RIGHTS COMMISSIONERS June 21, 2017 at 2:30 P.M., City Hall, Room 303

Present: Absent:

Commissioner Chez Ordonez, Vice-Chair Commissioner Tony Snell Commissioner Mayhoua Moua Commissioner Jeffery Roman, Chair Commissioner Sheila Ashley

Jessica Langill, Dept. of Administration
Patricia Ruiz-Cantu, Dept. Of Administration
Ben Roovers, City Attorney's Office
Rebecca Rabatin, DOA Budget & Management
James Carnell, Community Member
Shelley Gregory, Milwaukee LGBT Community Center

The meeting was called to order at 2:37 p.m. by Commissioner Ordonez

#### 1. Approval of Minutes from May 17, 2017

Since there was no quorum, minutes could not be approved.

#### 2. Upcoming Listening Sessions

Rebecca Rabatin (ADA Coordinator) requested that the listening session for the disability community be held in August instead of July, per the request of Independence First. The listening session for the disability community will be held at Independence First will be held on Wednesday, August 16th from 5-7pm (doors open at 4:30pm). Commissioner Ordonez suggested that the commission handle any business at the beginning of the meeting and then move into the listening session. Rebecca stated she would work on the flyer and would add the logos for all organizations involved. Rebecca also stated that there would be a request on the flyer to not wear perfume/cologne to the meeting and to smoke away from the building due to chemical sensitivities. Commissioner Snell brought up media and suggested that the commission leverage the city's PR. Rebecca also talked about other city employees that should be invited to the listening session. Commissioner Snell said all are welcome, but that we need to be careful that the event stays a listening session.

Commissioner Snell suggested that Jessica Langill put together a listening session report from the previous and upcoming listening sessions. He suggested that these reports are shared with the Mayor and Alders.

#### 3. PrideFest and Jud Leg Meeting Update

Commissioner Snell stated that PrideFest 2017 was exciting and record breaking. He stated that he was able to introduce Commissioner Roman and the Equal Rights Commission during the opening ceremony. Commissioner Snell also participated at the rally on Sunday on behalf of the ERC. Jessica Langill also stated that the Mayor spoke during the opening ceremony and gave a Proclamation to Pride, by our request.

Jessica stated that she and Jeff had presented at the last Judiciary and Legislative committee meeting about the Equal Rights Commission. She said Jeff talked about what the ERC has been working on, including a brief discussion of the ordinance rewrite, and asked the committee to keep the ERC apprised of issues and events relating to equal rights. Jessica stated that the meeting went well and that there was not much feedback from the Alders.

#### 4. Ordinance Rewrite Updated/Discussion

Commissioner Ordonez suggested that the commission send out the most recent draft of the ordinance rewrite to key community partners, requesting feedback. Jessica Langill said she would do that after the meeting, leaving time for the leaders to look it over before the next ERC meeting.

Due to not having quorum, the ERC was not able to vote on the most recent ordinance rewrite draft but opened it for discussion. Ben Roovers outlined the changes that were made to the most recent draft, including "genetic identity" and "homelessness" being added as protected classes (per Madison's Equal Rights ordinance). He also stated that "amusement" was added to the public accommodation protection. Jessica Langill pointed out that the definitions for sexual orientation and gender identity was not changed per last month's discussion.

Commissioner Ordonez asked if there was a way for the commission to see all of the changes that have been made. Ben Roovers stated he did not have a way of tracking changes in the past besides providing the commission with his own notes. He stated they would track any changes in the future.

Ben Roovers stated that 109-9 (page 6-11) had recently been added to spell out what an ordinance violation is defined as. Commissioner Ordonez stated he would like to know where Adam Wickersham had pulled this wording from.

Commissioner Ordonez suggested that the commission hold off until the next meeting to vote on the ordinance since 2 commissioners were out and a lot of new language was added. He suggested there be a call-in meeting with the subcommittee to discuss the changes and a special open commission meeting with quorum to vote on it after any changes are made. Date/time to be determined and noticed later.

Shelley Gregory shared that they used to be an employment attorney. Shelley stated that in section 109-9 (page 6) of the current draft that labor organizations and employment agencies should be added to the list of entities subject to employment nondiscrimination laws. Ben Roovers stated that those should be added to the definition of "persons." Shelley also brought up page 9 of the current ordinance draft and talked about harassment/hostile workplace environments. Shelley suggested that harassment be outlined clearly in the ordinance.

James Carnell asked what could be done if a person was offered employment under the same conditions as everyone else in the company, but was told they must use their birth name instead of their chosen name (relating to individuals who have not gotten a legal name change). After much discussion it was agreed that the commission could take on a complaint like this but the complainant would need to prove the negative emotional impact this situation had on them and their employment experience. Ben Roovers stated this would be a highly facts specific inquiry, but that it could be actionable under the ERC ordinance. There could be a disparate impact claim filed in this situation. Shelley Gregory stated the investigation into a claim like this would have to focus heavily on how the employer requires all other employees to identify or fit it into a failure to hire case. Shelley stated these types of cases are very difficult.

Shelley Gregory asked to look at the exceptions section on page 10 of the ordinance draft. Shelley brought attention to the "religious freedom" exception and encouraged the commission to consider the breadth of the exception. Commissioner Ordonez stated he did not like the exception as it was written at all. Commissioner Ordonez asked why exceptions needed to be in the ordinance. Ben Roovers stated that as written the exceptions follow state law and do not create more of an exemption at the city level. Commissioner Ordonez proposed that the religious freedom exception be removed from the ordinance rewrite altogether to not give the appearance that religious organizations would have the right to deny social services to protected classes. Ben Roovers stated that section 109-9, section 2 (public accommodation) would provide protections to people looking to get public services from a religious organization.

Commissioner Ordonez requested that protections be mapped out to show who the ERC would cover and in what types of situations, and what would need to be referred out to state or federal. Commissioner Snell stated that should also be put on the website. Jessica Langill said she would work on that with Ben Roovers. Commissioner Ordonez also asked that there be a list of other actions the ERC can take to address issues that

may not be in the ERC's jurisdiction. He stated there needs to be a clear list of steps of the action the commission will take when a complaint received. Ben Roovers stated that the ERC needs to be careful when cases are referred to the state or federal to not take any action against a business or organization until a ruling comes through. James Carnell asked if the ERC could say that the city was not allowed to provide funding to any organizations that discriminate against a protected class. Ben Roovers stated those decisions would be up to CDBG, but Commissioner Ordonez stated that the ERC could provide CDBG with recommendations.

Commissioner Ordonez asked if the ERC's oversight over city departments was in the current draft of the ordinance rewrite. It was not in the current draft so Commissioner Ordonez requested that it be put back in to the next draft.

Jessica Langill stated that several Alders had asked about who would be investigating claims. Commissioner Ordonez stated that Alders have also been asking about fiscal notes and what it might cost to hire other staff to assist with investigations (capacity and process). After discussion it was decided that Jessica would reach out to peer cities and see what their equal rights offices/commissions do with investigations. Commissioner Ordonez asked that the ERC go through the peer city analysis at the next meeting.

#### 5. Marketing Materials

Commissioner Ordonez stated that Jessica Langill had put together a quick ERC flyer to be used at any upcoming events. Commissioner Snell stated he had met with Jessica and they had decided to make the flyer as vague as possible, without any legal language. Commissioner Ordonez suggested that the ERC get a new logo to roll out with the new ordinance. Jessica suggested that she would go to the city graphic designer to come up with some ideas of future logos.

### 6. International Association of Official Human Rights Agencies-Membership & Conference

Commissioner Snell talked about the IAOHRA organization and suggested that the ERC become members and possibly attend the conference in Seattle in September. Since there was not quorum the commission could not vote on either suggestion, but Commissioner Ordonez and Snell expressed the desire to become members. Commissioner Snell stated it would cost \$250/year. Commissioner Ordonez asked Jessica to give Sharon an update on the desire to attend the conference or become a member. Commissioner Ordonez also asked for an update on the remaining budget at the next commission meeting.

#### 7. Community Dialogue/Events

Commissioner Snell stated that he had been invited to do a presentation at the Mexican Consulate on Monday, July 17<sup>th</sup>. He invited other commissioners to attend and stated that he would be speaking on what the ERC will be able to do for the Hispanic/immigrant community. Commissioner Snell stated that Patricia and Jessica would be putting a PowerPoint presentation together and requested a meeting with Ben Roovers to talk about what protections the new ordinance might offer to this community. Ben Roovers stated he would be willing to advise about what can and should not be said during the presentation.

9. Next Meeting is Wednesday, June 21st. ERC will be involved at Pride June 9th.

10. Adjourn

Meeting adjourned at 4:39 p.m.

\* \* \* jml



# MINUTES BOARD OF EQUAL RIGHTS COMMISSIONERS July 19, 2017 at 2:30 P.M. Room 301-A, City Hall, 200 East Wells Street, Milwaukee, WI 53202

#### **Present:**

Commissioner Jeffery Roman, Chair Commissioner Chez Ordonez, Vice-Chair Commissioner Tony Snell Commissioner Mayhoua Moua Commissioner Sheila Ashley

Sharon Robinson, Dept. of Administration
Jessica Langill, Dept. of Administration
Patricia Ruiz-Cantu, Dept. Of Administration
Ben Roovers, City Attorney's Office
MaryNell Regan, Milwaukee Fire & Police Commission
James Carnell, Community Member
Shelley Gregory, Milwaukee LGBT Community Center
2 Representatives from the Mexican Consulate

The meeting was called to order at 2:36 p.m. by Commissioner Roman

#### 1. Approval of Minutes from May 17, 2017 and June 21, 2017 Meetings

Commissioner Ordonez asked if the Commission had decided if they were going to release a statement on the executive order at the May meeting. Ms. Langill stated that the Commission had decided not to make a statement since the order had been different than originally expected. Commissioner Ashley moved to approve the minutes, Commissioner Snell seconded.

#### 2. Peer City Analysis

Commissioner Ordonez stated that the Equal Rights Commission requested a peer city analysis from the city's Legislative Reference Bureau (LRB). He stated the request was put out to get an idea of how peer cities fund and handle caseloads relating to equal rights commissions/departments. Commissioner Ordonez stated that after looking at

the analysis, Milwaukee has a long ways to go to be on par with peer cities. He stated that it would be up to the ERC to issue a recommendation to DOA, the Mayor, and the Council regarding future fiscal notes and staffing.

Commissioner Snell stated that the Commission needs to keep in mind state laws that dictate jurisdiction for city equal rights commissions/divisions. He stated that many Milwaukee complaints will most likely be referred out to the state. He also talked about the importance of education and training, enforcement, and reporting and stated that the ERC will not see a high number of complaints until residents learn about the Commission and the ordinance.

Commissioner Ashley talked about infrastructure in other peer cities. Commissioner Roman stated it would be good to know where complaints in the city of Milwaukee go to at the time. Commissioner Ordonez asked if we could find out how many complaints the State of Wisconsin Equal Rights Division gets as well as their budget. He stated this would be necessary for MOU consideration in the future.

Commissioner Roman brought up the fiscal note for the Equal Rights Commission and asked what the timeline looks like for requesting more funding for the ERC in the future. Commissioner Ordonez stated the timeline would be getting the ordinance rewrite passed through the Council, creating policies and procedures for handling complaints, and then putting in a recommendation after restructuring the strategic plan. Ms. Langill stated that it had been discussed that the ERC would wait to see how many complaints are received over the next year or two before requesting budget increases. Director Robinson stated that the ERC would be referring a majority of cases and also working with community partners, which would decrease the need for a budget increase. Commissioner Ordonez requested a report of all city commissions that receive funding and how their funding is used.

#### 3. Update on the Office of African American Affairs (Sharon Robinson)

Director Robinson stated she had just returned from a meeting about the Office of African American Affairs and that an MOU between the county and city offices had been discussed. She stated that they will be working to strengthen and leverage relationships with departments and bodies like the ERC. Director Robinson stated it would be appropriate to have another meeting with the OAAA to provide input on the MOU and talk about ways to partner with them in the future.

#### 4. Immigration Procedures Update (MaryNell Regan)

Commissioner Roman stated that the Equal Rights Commission had asked Ms. Regan to attend the meeting to discuss recent events with policies and procedures surrounding the Police SOP and facilitating dialogue with the community. Ms. Regan stated after the

FPC Commission meeting most issues had been cleared up and that it was a key learning experience about the importance of community input when making changes to policies and procedures like the SOP.

Ms. Regan brought a copy of the redlined version of the SOP to share with the Commission. She stated that in 2016 the Police Department accepted (also approved by the Common Council) a federal grant. This grant had a condition that stated language about immigration information had to be changed by June 30th, 2017. She stated that President Trump issued a warning that all cities receiving the grant needed to comply. Ms. Regan stated that the main issue was with section F of the SOP that originally forbade members of the Police Department to ask or share information regarding immigration status. She stated the new language could not restrict a member of the Police Department from doing so. She stated that this would not change the way the MPD operates and that they had not intended to start collecting immigration information. She stated in hindsight they realized that it was impactful to community members and that they realized the wording change was more important that they had originally thought.

Ms. Regan stated that when the draft of the new SOP came out there was not a FPC meeting that would come before the grant deadline, meaning there was not a chance for the city attorney's office to get it to the FPC for review. She stated that the assistant city attorney felt he could certify the change even without the FPC review. Ms. Regan stated that after the changed SOP had gone out there was public concern and many people wanted to be a part of the discussion. She stated the FPC met with several community organizations including Voces De La Frontera, LULAC and the Mexican Consulate to negotiate new wording.

Ms. Regan stated that at the most recent FPC meeting close to 400 community members attended and they listened to about 3 hours of testimony. She stated in the end a good compromise had been met.

Commissioner Ordonez asked that under the recently passed SOP if a Police Officer can ask someone about their immigration status. Ms. Regan stated MPD officers are not allowed to ask their status or arrest someone for an immigration violation. Ms. Regan stated that immigration status is only considered when someone is arrested for a felony, misdemeanor involving a weapon, terrorism, and other serious crimes. Commissioner Ordonez talked about the perception that this change gave off to the community and that it is very important for city departments to be transparent. Ms. Regan stated that because of this incident the FPC is requiring changes by the MPD to be signed off by the Director and chair of the FPC and that a 30-day notice is given so that it can be added to the FPC agenda for public vetting.

Ms. Regan stated that the Chief of Police had made some changes that weren't required by the grant requirements, but that the Chief now realizes how important it is to vet changes with the public and through collaborations with other city departments. Commissioner Ordonez asked what processes can be put in place that would allow the ERC to collaborate in the future. She stated that she would be willing to talk off line to develop a collaboration.

Commissioner Snell also talked about the importance of involving the community in these changes and that the MPD found itself choosing expediency and money over the citizens of Milwaukee. He talked about the MPD's public relations/perception issue. He stated that the MPD needs to work on building trust and that they know better and should use the FPC as a sounding board in the future. Commissioner Snell stated that the ERC could help facilitate community discussion and could bring the necessary groups to the table to discuss any future changes. Commissioner Snell brought up the city IDs and stated he has heard feedback from the community saying the municipal ID is more of a "red flag," causing Police Officers to assume the person is illegal or transgender. He asked that the ERC, FPC, and MPD work together to give the ID legitimacy. Commissioner Snell thanked Ms. Regan for coming to talk with the ERC and stated that he looks forward to her advice and cooperation in the future.

Commissioner Ashley stated that issues like these do not go away and that departments need to really put in the work to build trust up with communities. She stated that in the future there may be citizens that feel more comfortable bringing a complaint or concern to the ERC than the FPC and that a formalized plan about a working relationship between the ERC and FPC be worked out in the near future. Commissioner Ashley asked what is put in place that would stop an officer from "going rogue" and using their power to intimidate people who are worried about their immigration status or gender identity. She stated she would like to see a report on the types of complaints that the FPC has been getting relating to equal rights issues so that the ERC can be prepared to address issues in the future brought up by people who may not feel safe going to the FPC. Ms. Regan stated that page 8 of the SOP prohibits police officers from asking about immigration status unless they are involved in a serious crime. She stated that by ordinance and direction from the SOP, the City of Milwaukee ID card must be accepted by Police Officers as a legitimate form of ID. The SOP also says that a shift captain must be notified before any information is given to ICE. Ms. Regan stated that violation of the SOP or the MPD Code of Conduct would result in disciplinary action.

Commissioner Ordonez and Roman reiterated the desire to work with the FPC and that the ERC hopes to not be overlooked in the future, but used as a voice for the community. He also stated that the Alders and community should be using the ERC as well. The ERC can be used in a proactive manner. He also stated that the ERC will need to do a better job to get info out about the ERC.

Commissioner Snell brought up the Municipal IDs again and expressed the importance of decreasing the stigma that comes with the ID as well as legitimizing it as a normal accepted form of ID. He stated that he had heard complaints from members of the community. Ms. Regan stated the FPC had not received any complaints and said it was important for community members to report issues to the FPC. Commissioner Snell and Ashley stated there may be community members who do not feel safe making a complaint so it is up to the FPC and ERC to take on this issues. Commissioner Ashley suggested that the ERC go to academy trainings and talk to new officers about the ID and other equal rights issues. Shelley Gregory from the LGBT Center stated that the Center and other community groups had been part of a coalition to bring the city ID to fruition and that that group would be a good place to start in addressing some of the concerns. Shelley Gregory stated that after meetings with the MPD they learned that many officers were not aware of the city ID and did not know that there were new gender markers on them.

# 5. Community Dialogue - Ordinance Rewrite

Commissioners reviewed the 16<sup>th</sup> draft of the ordinance. Commissioner Snell motioned to discuss the latest draft of the ordinance. Seconded by Commissioner Ashley. Opened discussion to community input. Shelley Gregory from the LGBT Community Center shared that the latest draft is much improved and will greatly help the community the LGBT Center serves. Shelley directed the Commission to Section 109-9, 4c in the exceptions category. Shelley pointed out a typo. Shelley directed the Commission to 109-9, 4b and stated that in being consistent with federal employment law religion is also a protected class, and not listed in the rewrite. Ben Roovers (City Attorney) stated there was not an issue with the current language since the ERC would have no jurisdiction over religion as a protected class.

Commissioner Ordonez brought up all the exceptions and there was a discussion about leaving the list of exceptions in the ordinance. Ben Roovers suggested that the exceptions remain listed in the ordinance. Commissioner Ordonez asked if the Commission would be able to hear any complaints or discuss any issues outside the ERC's jurisdiction. Ben Roovers directed the Commission to 109-7, 4c. He said that the language is a little grey in the area but that community members should still be able to come to meetings and bring up concerns but that the Commission would have no jurisdiction and would not be able to inflict ramifications. Ben Roovers said the word "complaint" is up for interpretation and should allow the ERC to listen to community concerns that are not in the jurisdiction as long as an official complaint is not filed and no action is taken.

Commissioner Ordonez asked how 109-7, 4c would affect an MOU with the State of Wisconsin in the future. Ben Roovers stated there would not be work sharing between the state or federal government and the ERC so an MOU would not be necessary.

Commissioner Ordonez stated he would eventually like to expand the protections and jurisdiction of the ERC due to the state and federal political makeup. He stated peer cities have more jurisdiction. Commissioner Ashley stated the ERC currently does not have the capacity to expand its jurisdiction.

James Carnell (community member) stated he would be more comfortable if there was specific language about disparate impact in employment discrimination (referring to legal name/pronoun use in the workplace). He stated that going to the state or federal level with these complaints is not really accessible to a majority of transgender people. Ben Roovers stated that the language in the most recent draft would address that situation without any changes to the wording. Pointing out 109-9, 3a Ben Roovers stated that a person experiencing this type of employment discrimination could make a claim based on terms and conditions of employment. He also pointed out the definitions section and stated that the current definition of gender expression included "name."

Ben Roovers stated that as the current draft is written there cannot be a work sharing agreement set up with the state or federal equal rights offices. He stated that this was done purposely to minimize caseload for now since ERC does not have the capacity to take complaints for all protected classes. He said that if going forward the ERC receives more funding and can hire additional positions that the ordinance could be amended to expand the commission's jurisdiction and allow for an MOU.

Commissioner Ashley stated that hearing and adjudicating complaints is a lengthy and complicated process and requires education and training. She stated that it was important to clearly state the ERC's jurisdiction to the community in order to not sell a false hope. She also stated that it was important for the ERC to build personal relationships with those at the state and federal level so we can personally send people to someone that can offer remedies for complaints.

Shelley Gregory stated that there is federal employment case law that includes sexual orientation and gender identity in the protected class of "sex." This could prohibit the ERC from hearing complaints surrounding sexual identity and gender identity. James Carnell asked that if a community member went to the EEOC or the federal level with a complaint and it was not addressed if they would then be able to come to the ERC for a local remedy. Ben Roovers stated that since the 7th Circuit does not recognize gender identity as a protected class that he would argue that the ERC would have jurisdiction over an employment complaint based on gender identity. Jessica Langill pointed out that the ERC would also still cover gender identity protections in housing and public accommodations.

Commissioner Snell suggested that at this point the ERC should move forward with the best they know and look at the ordinance as a fluid document. He stated that the ERC should go with the ordinance as is and leave it up to review from the Common Council.

Commissioner Ashley urged the ERC to get the ordinance moving. Ben Roovers stated that the ordinance was still going to go through more review as it moves through the Alders. Commissioner Ordonez stated that he was very supportive of the ordinance and wanted it to pass, but that he has great reservations about 4c and the ERC's capacity to grow and function properly as a Commission. He asked that the ERC revisit 4c in the future.

With a unanimous vote, draft 16 of the Equal Rights Ordinance was passed through the Commission. The ordinance will be brought to the Council in September.

# 6. City Public Accommodation Complaints Procedure

Commissioner Roman stated that he hears many complaints each year about discrimination in clubs based on race. He asked what the process would be for a community member who had a complaint about this matter. Ben Roovers stated the ERC would not have jurisdiction over these complaints but that they could take their complaint to the ERD Civil Rights Division (Law 106.52). Commissioner Roman stated that people do not know what to do when they have these complaints and Jessica Langill suggested that she put the information for these types of complaints on the ERC website.

The Commissioners expressed concern over not having a way to know about other issues and complaints going on in the city since jurisdiction would not allow the ERC to hear a majority of the complaints. Ben Roovers stated that as long as there is not a formal complaint the ERC could still listen to concerns from community members and carry out other remedies like statements or going to the licensing board (but that great discretion should be used in doing so). Commissioner Ashley also stated that the ERC will not hear about city issues until people know the commission exists, so she suggested ways to spread the word about the ERC.

## 7. Cream City Foundation Grant

Commissioner Snell stated that there is a grant deadline of September 1<sup>st</sup>. He stated the ERC could make a good case of why it should be considered for the grant. The money could be used for community education. Jessica Langill will take on the grant and bring it back to the Commission. Commissioner Moua stated the money could also be used for supporting community organizations that may have gotten their funding cut.

#### 8. Upcoming Events/Community Dialogue

Commissioner Snell shared that Sherman Park would be hosting a viewing of "Beyond Sherman Park" through PBS. The event is next Thursday evening. Commissioner Ashley asked Jessica to discuss with Sharon the possibility of the ERC rotating in and

out of the Fire and Police Cadet training to discuss the ERC and the city ID issues. Commissioner Roman stated there is a community listening session this evening about development without displacement (gentrification). Commissioner Snell stated that we are still working with Sharon to see if we can send anyone to the International Association of Official Human Rights Agencies conference in Seattle the last week of September.

# 9. Next Meeting is Wednesday, August 16, 2017 @ 5:00pm (IndependenceFirst)

Listening Session for the Disability Community at Independence *First*.

# 10. Adjourn

Meeting adjourned at 5:06 p.m.

\* \* \* jml



# MINUTES BOARD OF EQUAL RIGHTS COMMISSIONERS August 16, 2017 at 5:00pm IndependenceFirst, 540 South 1st Street, Milwaukee, WI 53204

#### **Present:**

Commissioner Jeffery Roman, Chair Commissioner Chez Ordonez, Vice-Chair Commissioner Tony Snell Commissioner Mayhoua Moua Commissioner Sheila Ashley

Sharon Robinson, Dept. of Administration Jessica Langill, Dept. of Administration Patricia Ruiz-Cantu, Dept. Of Administration Rebecca Rabatin, ADA Coordinator Hakimah Terry, Internet Services Coordinator Karen Dettmer, DPW Coordination Manager

The meeting was called to order at 5:04 p.m. by Commissioner Ordonez

# 1. Approval of Minutes from July 19, 2017 Meeting

Held until quorum reached. Commissioner Snell moved to approve the minutes, Commissioner Moua seconded. Minutes approved unanimously.

# 2. Rapid Response Statements by ERC

Commissioner Ordonez asked how the Commission wanted to handle statements in the future, whether that was an appointed person, a committee, etc. Commissioner Snell thanked Director Robinson for the Charlottesville statement she wrote for the ERC to use. He also suggested that in the future if any of the Commissioners felt compelled to write a statement about an issue that they could do so and then send it out to the other Commissioners for revisions and approval. He also suggested that we should reach out to community organizations to find out their stance on the issue and potentially send out joint statements.

Commissioner Ordonez stated that the Minneapolis Commission on Civil Rights has an operating manual that outlines how they respond to events/issues. He suggested that the Commission look at the Minneapolis operating manual for future direction relating to the handling of complaints.

# 3. Ordinance Outreach Update/Discussion

Commissioner Ordonez stated that he and Jessica Langill had met with Alderman Rainey and Alderman Murphy that morning to discuss the ordinance rewrite. He stated both meetings went well and that he felt both Alderman would support the passage of the ordinance at the committee meetings.

Commissioner Snell stated that he, Commissioner Ashley and Jessica Langill had recently met with Alderman Hamilton to discuss the ordinance as well. He stated that Alderman Hamilton was excited and looking forward to making the ordinance rewrite a priority and moving it forward.

Jessica Langill stated that the ERC still needed to meet with Alderwoman Coggs, Alderman Borkowski, Alderman Donovan, and Alderman Stamper. Commissioner Ordonez stated that the ERC should reach out again to make contact with these Alders. Commissioner Moua stated that she had personal contacts to some of the listed Alders and that she would make contact to try to schedule a meeting.

Commissioner Snell stated that the ERC needs buy-in from the community partners to help with the passage of the ordinance rewrite.

# 4. Community & Department Connections

Jessica Langill stated that Director Robinson had wanted to discuss what strategic community and department connections the ERC should be reaching out to in order to increase buy-in for the ordinance rewrite and the work the ERC will be doing in the future. Commissioner Ordonez stated the community listening sessions are a good start and that we need to be reaching out to community members to see how the ordinance can be strengthened in the future. He stated that the ERC is meant to be a connection to the community and can be used to work together with city departments.

Commissioner Snell mentioned the International Human Rights Day celebration that the ERC in partnership with the County's Human Rights Commission will be hosting at city hall on Friday, December 8<sup>th</sup>. The event will take place throughout the day and include voices from many local community organizations. He stated that the theme is "stand up for someone else's rights." He mentioned we would be giving out awards to individuals and organizations that are doing well to advance equal rights.

Director Robinson stated that the Department of Administration is responsible for staffing the Equal Rights Commission and houses the Commission to allow for partnerships with city departments and community connections. She stated partners are needed to expand the reach of the ERC and to educate the community on their rights.

# 5. Description of ERC and Commissioner Introductions

Commissioner Ordonez introduced himself and gave some history of the ERC. He stated the ERC is doing everything they can to offer protections and remedies at a local level. The other Commissioners introduced themselves. Commissioner Moua stated that the ordinance rewrite was extremely important because it will allow the ERC to do more than just listen to complaints from the community. Commissioner Snell stated that even if there is an equal rights issue outside the ERC's jurisdiction, that the ERC will use their voice to speak out against those that commit violations.

## 6. Listening Sessions Welcome (Lee Schultz, IndependenceFirst)

Lee Schultz thanked the Commission for coming and allowing people to participate. He asked the community to give a lot of good input to the Commission and encouraged them to make their comments.

# 7. Community Listening Session (led by Monica Murphy, Disability Rights Wisconsin)

Monica Murphy stated that the listening session would be focused on title II of the American's with Disabilities Act. She stated the ERC would like to hear about architectural barriers and other city program barriers. Monica Murphy introduced the city's ADA Coordinator, Rebecca Rabatin.

Rebecca Rabatin stated that in her role she is responsible for communicating with city departments about federal regulations and ADA standards. She stated that she also has to educate city departments about the ADA and other disability standards. Ms. Rabatin stated that the city has promised that they would not discriminate against any individual based on disability in any program services/activities. Ms. Rabatin stated that if there is a complaint, she must receive a written description of the issue. She would then respond within 15 days and would let the complainant know what the city would do to remedy the situation. She stated that each department in the city has a designated ADA contact to assist in fielding these complaints.

A community member (Joy) thanked the city for hiring an ADA Coordinator. She brought up curb cuts and the amount of snow that the state of Wisconsin gets each winter. She stated the current city rule is that homeowners need to keep their sidewalks and curb cuts clear. Joy requested that the ERC make an announcement about keeping

curb cuts clear of snow. She stated that wheelchairs cannot get over curb cuts when there is snow covering them.

Commissioner Snell stated that there is a city app that can be used to report where snow has not been removed. The app is called Milwaukee 311 and sends complaints directly to DPW who will respond to the issue within 24 hours.

Joy also brought up that there are many sidewalks that are way too long without a curb cut in the middle. This causes people in wheelchairs to have to go far out of their way to access buildings in the middle of the block.

Director Robinson stated that the Mayor has a management and accountability called AIM. She stated that AIM meets with DPW regularly and that they are working on improving response times and that she will add snow removal to the future agenda.

A community member (Ann) stated that her concern was regarding fire safety. She stated that she is allergic to smoke due to her medications. She stated that her landlords have told her that they are required to allow their tenants to have grills. She stated that when she complains to landlords about fire safety issues she has been evicted. Ann asked what she should do to protect herself from fire safety issues but also not have to worry about being evicted.

Rebecca Rabatin stated she should file a complaint with Department of Neighborhood Services (DNS). She also stated that city ordinance states that a tenant cannot be evicted for retaliation of a complaint.

A community member (Deb) stated she is the chairperson for Milwaukee County's Commission for people with disabilities. She named off several cities (including Wauwatosa, WI) that currently have alternate/accessible bikes to their bike share program. She stated that Wauwatosa uses two bicycle programs (Bublr and Zagster) to offer accessible bikes. Deb stated that there had been multiple attempts to bring accessible bikes to the city of Milwaukee, but that there had been no results. She stated it was originally brought up in July 2015 at a community meeting. In the summer of 2016 the issue was brought up again and they were told that the city was working on it. She asked the ERC to help bring inclusion to the current bike share program. She offered assistance and collaboration with Wauwatosa. Deb stated that Bublr does not currently have accessible bikes but that Zagster does.

Commissioner Ordonez encouraged community members to work through the ERC to make equal rights changes in the city. He stated that any vendor that works with the city of Milwaukee must not be an active discriminator. Director Robinson said she would look into the issue and would work with Jeff Polenske about the issue.

A community member stated that she has lived in the Milwaukee community for her entire life. She echoed the concerns about snow removal and encouraged ERC to work hard to get the accessible bikes for the city of Milwaukee.

A community member (Cindy) stated that she lives in Milwaukee near the border of Glendale. She says there is a van that picks her up in the winter to take her to work. She stated that because of how the snow is plowed there are many times when her van cannot get their ramp down to pick her up easily. She also stated that there is so much snow by her bus stops that she has to climb over piles to get to the bus. She said there is no way a wheelchair would be able to get over the pile to get to the bus. Cindy also asked if the ERC deals with discrimination from landlords. She stated that recently a landlord refused to rent to her friend because she had a disability. She asked how to make a complaint if a landlord is discriminating against someone.

Monica Murphy suggested that anyone experiencing landlord issues should reach out to the Metropolitan Milwaukee Fair Housing Council. They investigate complaints against landlords. Commissioner Snell stated that the ERC would also reach out directly to DPW to discuss the snow removal issues.

Karen Dettmer from DPW stated that the Bicycle and Pedestrian Task Force had submitted a letter outlining snow removal issues. She stated DPW could review the timeline on snow removal expectations but that currently home owners must remove snow within 24 hours after snow stops falling. She stated she would work with Laura Daniels to address snowfall issues. Karen also said that the Department of Neighborhood Services was responsible for enforcing snow removal and that complaints should go through them. 286-CITY goes directly to DNS.

Commissioner Ordonez stated that the ERC is working on developing a system in which people can contact ERC and then be referred out to the correct department to handle the issue. The ERC would also keep an eye on the complaint and make sure it is handled in a timely manner.

A community member (Eugene) brought up the addiction and mental health disability community. He stated that these groups are often forgotten about when discussing equal rights for those with disabilities. He expressed there is a great need for group homes for people with mental health and addiction disabilities. Eugene also brought up the revolving door issue in which people with mental health disabilities are given prescriptions to remedy their mental health issue which in turn creates additional drug addiction issues for these patients. He stated that the state of Wisconsin does not require a dual-certification for social workers/mental health providers. Eugene brought up the MPD and stated that there are not enough resources for mental health intakes. He asked the city to use some of the addiction funding coming in from Governor Walker to also treat those with addictions and mental health disabilities.

Commissioner Ashley stated that the city VA has addressed this issue with their Housing First program. She stated that they provide wrap around services and case management that identifies landlords who are sensitive to mental health and addiction issues associated with homeless vets. Commissioner Ashley stated that the ERC is limited by politics and prioritization of elected officials. She recommended that Eugen talk to Barbara Gilbert at the VA about the Housing First model.

Commissioner Ashley also stated that the ERC will be partnering with community organizations to bring about training sessions for landlords and members of the fire and police departments. Rebecca Rabatin stated that all MPD police officers have gone through a three hour training for dealing with people with disabilities. She stated they would also be going through 40 hours of critical intervention training, but that training the whole police force will take five years to complete. '

A community member (Jim) stated he is the president/CEO of Beyond Vision. He stated that Milwaukee's Department of Transportation has been extremely helpful in assisting with several issues they had with bus systems. Jim stated that the Para Transit system needs improvement. He says it is not dependable or on time. He also stated that there are some drivers who are not trained well to work with people with disabilities.

A community member (Maria) shared that she also has concerns with mental health and addictions. She stated that single mothers are usually overlooked when it comes to city family-centered programs that addresses the needs of women who are having mental health and substance abuse issues. She also stated that there is a big problem with families having to go to multiple locations to meet all of their assistance needs. She expressed the need for a family center for people that are already going through very difficult situations.

A community member (Mike) stated that as a person with a disability he has great difficulty removing snow from his sidewalks. He asked that the city find a way for people with disabilities to get their snow removed. He also echoed the need for the accessible bike program.

A community member (John) stated he lives in Bay View. He said when he visited City Hall a short time ago there were two city vehicles parked in the accessible parking spaces outside City Hall. He also stated that the sidewalk in front of St. Ann's is terrible and there are many people with disabilities who have to walk along it to get to St. Ann's. He said that sidewalk has been terrible for many years and that he has made a personal complaint to Alderman Zielinski. He also stated that the bus on Lake Drive and Superior had recently been eliminated which will cause great issues for the elderly people who have to grocery shop. John also stated that on Holt and Burrell there is not a safe crosswalk and without proper lighting that intersection is very dark. He also stated that the Arby's on Chase and Oklahoma is never properly shoveled. John also

suggested that the city create an ordinance that addresses the quality of carts used by the elderly and people with disabilities so that they do not easily break.

Jeff from the City of Milwaukee asked who decides when to move and relocate accessible parking. He also echoed that he has seen city vehicles parked in accessible parking spaces many times. The parking manager for the city of Milwaukee (Tom) stated that their department has been keeping a close eye on those parking spots and taking care of any city vehicles parked in the spaces. He stated that if anyone sees a vehicle parked there that they should report it directly to him.

Commissioner Ordonez asked if a city of Milwaukee vehicle would be ticketed for parking in an accessible parking space. Tom stated that any vehicle would be ticketed, but that they reach out to the departments to tell them to move the vehicle.

Karen Dettmer stated that the lack of parking spaces is a temporary issue due to the city hall and street renovations. She stated that recently DPW went through an 8 hour training that discussed ADA parking issues during construction times. Karen stated that if any DPW vehicles are parked in those spaces that they can also reach out to her directly.

Commissioner Ordonez reminded community members that if they do not remember who to reach out to that they can contact the ERC or the city ADA Coordinator.

Brian Peters (Indpendence *First*) stated that when his coworker was working with the city of Milwaukee regarding the accessibility of the RiverWalk. He stated that the city has listened to these complaints and worked to fix the issues. Brian echoed issues with parking around City Hall.

Commissioner Snell suggested that community organizations reach out to the state and federal government to get more funding for DPW, neighborhood services and others to provide assistance for all of these issues.

A community member (Mark) echoed Eugene's concern about mental health and addiction disabilities. He stated that a friend of his had died last year from over medication and not given appropriate services. He suggested that psychiatrists and doctors need to be working together when prescribing drugs to their patients. Mark also suggested there be a decrease in financial incentives or kickbacks doctors receive for prescribing pharmaceuticals.

Commissioner Snell brought up the Milwaukee county Opioid Task Force and suggested that they have this discussion with them to work on these issues. Commissioner Ordonez stated he would like to work with them to see what role the ERC can have in this issue (follow-up with the Department of Health, etc.).

A community member brought up the Mental Health Task Force and stated that could be a good resource as well. She also mentioned the certified peer specialists through Department of Health Services.

# 8. Upcoming Events/Community Dialogue

Commissioner Ordonez thanked everyone for their participation and stated that the city has a lot of work to do to be able to catch up and help everyone. He talked about the disparities in the city and said the ERC would be working toward fixing these issues. He also invited everyone to attend monthly ERC meetings.

Commissioner Snell thanked city departments for attending the meeting and being willing to assist.

# 9. Next Meeting is Wednesday, September 20th @ 2:30pm

## 10. Adjourn

Meeting adjourned at 7:21 p.m.

\* \* \* jml



#### **MINUTES**

# **BOARD OF EQUAL RIGHTS COMMISSIONERS**

September, 20th 2017 at 2:30pm

Room 303, City Hall, 200 E. Wells Street Milwaukee, WI 53202

Present: Absent:

Commissioner Jeffery Roman, Chair Commissioner Chez Ordonez, Vice-Chair Commissioner Tony Snell

Commissioner Mayhoua Moua

Jessica Langill, Dept. of Administration

Ben Roovers, City Attorney's Office

Patricia Ruiz-Cantu, Dept. Of Administration

Rebecca Rabatin, ADA Coordinator

Captain Heather Wurth, Office of the Chief

Megan Wanke, Metropolitan Milwaukee Fair Housing Council

R.L. McNealy, Community Coalition for Quality Policing

Ashley Altadonna, FORGE

Shelley Gregory, Milwaukee LGBT Community Center

Livia Rowell-Ortiz, Gender-Queer Milwaukee

James Carnell

Reverend Joseph Elwinger

Rachel Campbell

Mr. Winston

2 additional community members

The meeting was called to order at 2:34pm by Commissioner Ordonez without quorum. Quorum met at 3:20pm

# 1. Approval of Minutes from August 16, 2017 Listening Session

Held until quorum reached. Commissioner Snell moved to approve the minutes, Commissioner Roman seconded. Minutes approved unanimously.

Commissioner Sheila Ashley

# 2. Community Coalition for Quality Policing

R.L. McNealy, representing the NAACP and CC4QP came to speak to the ERC about their recommendations for new MPD Standard Operating Procedures. McNealy stated that he was sent by Fred Royal, president of the Milwaukee chapter of the Equal Rights Commission. He asked if he could read their list of recommendations to the Commission and provided copies. He stated this document has been distributed widely to the community. He also stated that these recommendations mirror the recommendations from the recent DOI report.

#### Recommendations and discussion are as follows:

- 1. Officers should know as many people as possible in the area they patrol
- 2. MPDs involvement in collaborative efforts with community members to reduce crime should be increased. McNealy stated that many community members have shared that they do not believe
- 3. Rank and file police officers should be encouraged to express ways of improving police-community relations without fear of reprisal.
- 4. Psychological Evaluations should be required for all police officers. Commissioner Snell asked what type of psychological evaluations are already required and asked if there are currently opportunities for police officers to seek counseling. McNealy stated there is a psychological evaluation given during the hiring process but that there needs to be ongoing evaluations throughout their employment. Commissioner Snell stated that negative stigma could be perpetuated by stating that all police officers need psychological evaluations throughout their career. He suggested instead that counseling and psychological services be readily offered and available but not necessarily required. Another community member stated that ongoing psychological evaluations was a great step toward improving the police force but that these evaluations need to be done long before a police officer is hired to check for racist tendencies and beliefs. She stated these tests would help the racial profiling issue in Milwaukee. She also brought up the mental health needs of the community that the police are meant to serve. She stated it is very important to think about the trauma and the current state of mind of the community.
- 5. Body-worn cameras should be worn and turned on at all times.
- 6. Critical Incident Films should be released within 1 week after statements have been taken
  - MPD Community Engagement Sessions should involve sessions that are held quarterly and focus on problem-oriented policing and best practices. McNealy stated that community listening sessions in the past have been more of the community listening to the police officers instead of the police officers really listening to the community. Commissioner Snell stated this issue would be something the ERC could facilitate. He also stated that we will be reporting back to the Mayor's Office and Common Council about the issues discussed today. Commissioner Ordonez stated that while the ERC does not have oversight over MPD but that the role of the ERC is to facilitate discussions between the community and city departments. A community member stated that the police

are supposed to be trained mental health and first-responders. She stated they are supposed to be trained to sense depression and other mental health issues. She stated that community members needs to serve in correlation with police officers to look for mental health issues and to ensure that the police department works appropriately with the community member. She stated that the community does not feel comfortable with the police being the only first-line of support. Commissioner Ordonez brought up the safety issues that could happen if community members showed up at a situation before police arrived to assess the safety of the situation. The community member stated that someone from the community should show up at the same time in order to hold the police accountable for their mental health training. She stated this is especially important in situations where police are called to remove children from a home. Commissioner Moua asked if there are currently community organizations that could take on this role. The community member stated that members of Running Rebels are currently trained as mental health first-responders. She stated there are many community organizations that are trained.

- 7. Centralized Time-Limited Receipt-Bearing Complaints should be made and recorded only at the Fire and Police Commission. Complaints shall be resolved by no later than sixty days after being made. McNealy also brought up the Fire and Police Commission office and that it should be given the resources needed to have a useful space for the community to come and give their complaints. A community member stated that the current complaint process is broken and many community members do not feel that it is worth taking a complaint to the FPC because they do not hear back in a timely fashion. He stated that there are also citizens who are afraid to voice their concerns to police. Commissioner Ordonez asked if there is a report that shows how many complaints are taken in vs. how many are resolved. McNealy stated that there is a report but that there are many complaints that are lost in the system.
- 8. MPD officers should adopt the posture of being "guardians" rather than "warriors" unless exigent circumstances require otherwise. McNealy stated the current motto of the police department is "Be a Force" but instead should be something more along the lines of "protect and serve."
- 9. The role of community liaison officers (CLOs) should be expanded such that they become linking mechanisms between the police department and the community. McNealy stated that the current CLO program is not working and more should be done to build community trust than having CLOs show up at block parties/meetings and handing out ice cream to kids at festivals.
- 10. In addition to established department criteria, MPD officers should be evaluated on how effective they are at working in collaboration with residents and organizations in their districts in preventing and or resolving circumstances associated with the production of criminal conduct.
- 11. Neighborhood watch groups such as block clubs should be among the various community groups and neighborhood associations involved in MPD/Community Engagement ("listening") sessions.
- 12. Incentives should be created for officers to live in the districts they patrol or, at the least, in the City of Milwaukee.

- 13. Crisis Intervention Trainings (CITs) designed to enhance the ability of MPD officers to recognize symptoms of mental health problems should be continued and required. Rebecca Rabatin stated that as part of Milwaukee's settlement agreement, any city employee that has direct contact with the public must go through a 3-hour training regarding working with people with disabilities. She stated that there is also a 40-hour crisis intervention training that all Officers will go through, but that it will take 5 years to get through the entire police force. A community member stated that 5 years is far too long and there needs to be a plan to make the training go faster. Rebecca Rabatin stated follow-up questions should be directed to Captain Davila. McNealy stated that there should be a conversation with providers and community members to figure out ways to make the training go quicker.
- 14. "Cite and release" for minor low-level nonviolent offenses. McNealy states that unnecessary arrests and holding time negatively impacts families. He suggested that tickets would be more impactful.
- 15. Increase the capacity/resources and enhance the role of the Milwaukee Fire and Police Commission to investigate and act upon the complaints of residents.
- 16. All complaints should be fully investigated and appropriate discipline provided in a transparent process.
- 17. MPD services will be provided in a professional, unbiased and effective manner regardless of the racial makeup of the neighborhood.
- 18. Every MPD Officer should be able to recognize symptoms of a mental illness in the people they encounter.
- 19. Community liaison officers function as recipients of immediate neighborhood feedback, especially "tips" to the police.
- 20. Trainings are offered regularly to commissioners by the administrative leadership of the Milwaukee Fire and Police Commission.

Commissioner Roman stated that the ERC will be working with the FPC in the future to host a listening session and that the date is TBA. Jessica Langill requested an electronic copy of the recommendations. A community member talked about the importance of policy change in improving the MPD. He also referenced page 73 of the DOJ report which states that percentagewise, African Americans are least likely to have guns.

# 3. Standard Operating Procedure 117 – Interaction with Transgender, Intersex and/or Gender Non-Conforming (TIGN) Persons

Commissioner Snell stated that the MPD and a group of community partners have been working together to update the current SOP for dealing with the transgender community. A community member (Livia Rowell-Ortiz) from Gender-Queer Milwaukee directed the ERC to the current draft that the workgroup has been working on. She stated there are a couple concerns of the current draft. She stated the current draft is a big improvement from the last SOP but that the new draft is problematic because it states that all TIGN prisoners shall be housed with prisoners that have the same gender identity as the TIGN person. Livia stated this is an issue due to high potential of violence and trauma. A community member shared personally that he did not believe transgender men could be offered true safety in holding cells

with cis-gender men. Instead, the suggestion is that each TIGN prisoner should be able to choose which gender they would like to be housed with. Commissioner Snell stated that solitary confinement should not be considered as a solution to this issue.

Captain Heather Wurth stated that this draft is still a work in progress and that there are currently discussions in-house to address the additional concerns. She stated once the draft is revised it will go to the executive staff and unions for review and then goes on the agenda for the FPC for final acceptance. Commissioner Snell asked when community input would be taken. Commissioner Ordonez stated that the public could address concerns at the FPC meeting, but Commissioner Snell requested that the draft go back to the community partners or to the ERC before going to the FPC. Captain Wurth stated she would talk to Director Siletti about further community involvement. Captain Wurth stated herself and Director Siletti are willing to address the additional concerns.

A community member stated that she also had an issue with the classification section of the draft SOP. She brought up gender non-conforming individuals and stated that the current design would have to force them into a "male" or "female" box. Commissioner Snell also brought up the Municipal ID and that it has a gender non-conforming marker. A community member (James) stated that the current draft would force a decision to be made on "gender expression." He stated that this is problematic because there really is no one way to express a gender. Captain Wurth stated the Muni ID will be accepted as a legitimate form of identification but that the computer systems the MPD uses is controlled by the state and it would not be an easy task to simply add another gender marker. She stated that notes about gender nonconformity could be added in the "notes" section. She stated they are in the process of updating the internal records system and there have been discussions about whether they can have a non-binary gender marker to mirror the Muni ID. Shelley Gregory from the Milwaukee LGBT Community Center stated they would like to work with the MPD to lobby at the state and federal level to update gender markers in state and federal systems.

Rebecca Rabatin brought up shared bathrooms and the safety risks that could present to transgender individuals. James stated that according to the Prison Rape Elimination Act (PREA), each prisoner should be able to assess their own potential risk and be able to choose where they would like to be held for their psychological and physical safety. He suggested that Milwaukee's SOP should mirror guidelines in PREA. Captain Wurth reiterated that the MPD will take these concerns into consideration when working on the final draft of the new SOP.

Community members requested a time-line on when the considerations would be added into a final draft. Captain Wurth stated she could not provide an exact date, but that this is one of the priorities the MPD is focusing on. She did state that once the final draft is completed, the executive officers and unions get 30 days to review the policy and then the FPC gets an additional 30 days to review. She stated that this process will take at least a few months.

## 4. IndependenceFirst Listening Session Discussion

Rebecca Rabatin distributed handouts regarding the listening session. She stated she was happy with the amount of city employees who showed up to listen about the issues. Rebecca stated on

the city website ADA page there is a form that can be submitted for complaints dealing with sidewalk accessibility and snow removal. She also brought up the request for curb-cuts in the middle of long blocks. She stated she has reached out to DPW about this issue but that there are some safety concerns with having people in wheelchairs using curb-cuts in the middle of blocks. Commissioner Ordonez stated that the ERC would be willing to get behind policy and procedure recommendations from Rebecca regarding curb-cuts and other accessibility issues. He also stated that as the Commission deems necessary, it can request reports and information from departments about what they are doing to improve accessibility.

Rebecca stated that the Fair Housing Council is a great resource for people with complaints against landlords. She also stated that the city trains landlords on landlord and tenant rights regarding people with disabilities. Commissioner Ordonez brought up the mailings city landlords get and stated that the ERC should include some materials discussing equal rights. Commissioner Snell also asked Rebecca to keep track of any complaints she receives so that ERC can have a better understanding of equal rights issues in the city. Rebecca brought up the discussion about adaptive bikes. She stated there has been a lot of discussion with DPW previously about adaptive bikes but that the city already had made a decision about not including adaptive bikes in the bike share program. However, DPW agreed to open the case back up and a workgroup will be put together to look at options and feasibility. Commissioner Ordonez asked that a final report be given to the ERC when a recommendation is finalized so that the ERC can be involved with official recommendations.

Rebecca stated the city Health Department released a mental-health report called Milwaukee Elevate and that they are currently looking for public comment and feedback. Commissioner Roman stated that the Equal Rights Commission should be listed as a community partner that will help provide increased partnership for government and community.

Rebecca brought up the abuse of accessible parking spaces. There was concern about city vehicles parking in these spaces. Commissioner Ordonez stated that the ERC should take up this issue. Rebecca stated there also need to be policies and procedures created for how to properly close roads with accessibility issues in mind.

#### 5. Upcoming Listening Sessions

Held until next meeting

# 6. Chapter 109 and Operating Procedure

Commissioner Roman stated that Jud Leg did approve the most current draft of the Equal Rights Ordinance and that it would be up for adoption at the next full Council meeting. Attorney Ben Roovers brought up 2 changes that will be made to the draft before it is taken to the full Council meeting. He stated that the statute of limitations needed to be added to 109-7 4b. Ben Roovers also stated that changes needed to be made to 109-25 sub 3 to state that one complaint would be charged as one violation and that charges would not incur daily unless separate/additional violations occur. Ben Roovers stated that the appeals process would go through municipal court and would be left up to them for final decision.

A community member stated that the ordinance is a violation of Title VII of the Civil Rights Act. She stated that the exception regarding private security licensing/arrest and conviction record was unconstitutional due to the Civil Rights Act. Attorney Ben Roovers stated that Title VII does not cover arrest and conviction record. The community member stated that she believes it does because it covers employment discrimination and imposes double jeopardy. She asked for the rationale for the exception and brought up state statute 440-12 stating that it was also a discriminatory practice. Ben Roovers stated that the ERC has no jurisdiction over state mandated laws and that state and federal laws supercede the Equal Rights Ordinance. He stated that the ordinance is constitutionally sound.

Ben Roovers also brought up the concern about transgender individuals who feel that they have been discriminated against but do not want to go to state or federal with their complaint. He suggested that these complaints be brought to the city and then Jessica Langill would help them through the process and build a work-share agreement that would allow her to send them directly to someone at the EEOC that will be able to help them through the process. If the EEOC says they are not willing to take the complaint, then the complainant could come back to the ERC for remedy.

A community member stated that as a resident and a constituent of the city of Milwaukee she did not believe that the ordinance draft did not promote equality for all residents of the city. She stated that the ordinance was a violation of many constitutional rights. She stated that felons and African American men were not given a fair opportunity of obtaining a license to gain employment. Commissioner Snell stated that the ERC must follow state statute and that exceptions are only listed to honor state and federal law. Commissioner Snell stated that the ERC can set up a listening session to discuss these issues.

She also asked about city accountability and why it was removed in the new ordinance. She stated clearing house has also been removed. Commissioner Roman stated that the function of the ERC around city accountability and community engagement has not changed or gone away. He stated the revised ordinance was meant to clean up the language and take out any extra wording. She stated that accountability should be explicitly listed in the ordinance. She stated that the ERC needs to ensure that racism and discrimination was to be prohibited. Commissioner Roman stated that the role of the ERC is to hear the concerns of the people and to articulate/advocate concerns to the Mayor's Office, Common Council, and the right city departments. He stated these concerns can be directed to the Office of Black Male Achievement and the Office of African American Affairs. Commissioner Roman requested that the community member write her objections and send it to Jessica Langill. He also invited her to the full common council meeting and invited her to share her concerns at that meeting.

#### 7. Statements and Media

Held until next meeting

# 8. Community Events Report

Held until next meeting

# 9. Community Dialogue & Upcoming Events

Commissioner Roman shared that the Black Male Achievement Advisory Council would be meeting at City Hall on September 25th from 10am-12pm. He encouraged community members to come and talk to that committee about her concerns.

# 10. Next Meeting is Wednesday, October 18 @ 2:30pm

# 11. Adjourn

Meeting adjourned at 5:50 p.m.

\* \* \* jml



# MINUTES BOARD OF EQUAL RIGHTS COMMISSIONERS October 18th, 2017 at 2:30pm Room 301-A, City Hall, 200 E. Wells Street Milwaukee, WI 53202

#### **Present:**

Commissioner Jeffery Roman, Chair Commissioner Chez Ordonez, Vice-Chair Commissioner Tony Snell Commissioner Mayhoua Moua Commissioner Sheila Ashley

Jessica Langill, Dept. of Administration
Ben Roovers, City Attorney's Office
Patricia Ruiz-Cantu, Dept. Of Administration
Rebecca Rabatin, ADA Coordinator
Maria Flores, UW EEOC Milwaukee Office
Megan Wanke, Metropolitan Milwaukee Fair Housing Council
Kori Schneider-Peragine, Metropolitan Milwaukee Fair Housing Council

The meeting was called to order at 2:37pm by Commissioner Ordonez without quorum. Quorum met at 2:50pm.

# 1. Approval of Minutes from September, 20th Meeting

Held until quorum reached. Commissioner Snell moved to approve the September minutes, Commissioner Ashley seconded. Minutes approved unanimously.

# 2. US EEOC Milwaukee Office (Maria Flores)

Commissioner Ordonez welcomed Maria Flores and asked her to give the Commission an introduction on the US EEOC. Flores stated that she came to the Commission in 1991 and moved to management approximately 15 years ago. She currently handles all training.

Flores stated that the EEOC is the key Civil Rights Agency at the Federal level that enforces federal laws that inhibit employment discrimination. The EEOC was established as part of Title VII of the Civil Rights Act of 1964 and opened in 1965. The mission of the EEOC is to create equal opportunity to all who live in the US through education/outreach, taking complaints and

conducting investigations and filing lawsuits against employers. The EEOC has the authority to accept, investigate and litigate employment discrimination complaints and works to reach agreements with employers and complainants that are equal to the discrimination never happening. The EEOC's protected classes are: race, color, sex, religion, national origin, age (over 40), disability, pregnancy and genetic information. The EEOC's laws and regulations generally apply only to employers that have 15 or more employees. Complaints against employers with fewer than 15 employees would be referred to the state or city level. Flores pointed out that the EEOC also covers immigrant workers regardless of their immigration status. Flores stated most of their complaints deal with failure to hire, fire, promotion, demotion, wages and harassment.

Flores stated that there is not a fee to file a complaint and that an Attorney is not needed. In Wisconsin, charges must be brought to the EEOC within 300 days of when the discrimination took place. People can file a charge in their own name but can also file as a class in which they believe other members of their same protected class were also discriminated against. Third-party (unions, organizations, advocacy groups) complaints are also accepted. Commissioners with the EEOC can also file a charge of discrimination as a systemic claim. Remedies can include an employer hiring the complainant after a failure to hire, back-pay, training, punitive damages, etc.

Flores stated that the EEOC has a no-cost outreach and education program. This could include providing resources for an information table, sending a key-note to a conference, leading Know Your Rights events, forums, media appearances, etc. There are also fee-based trainings (seminars and workshops) and education for employers. The EEOC also provides technical assistance for employers who answer questions and provide resources about how employers should avoid discrimination in their workplaces.

Commissioner Ordonez stated that the ERC has recently revamped itself and explained some of the work the Commission did on the new Equal Rights Ordinance. He asked Flores if she works at all with counterparts on the local level. He asked if there are partnerships with other similar equal rights commissions. Flores stated that the EEOC has a lot of partnerships with government organizations on all levels. She stated that they also have Memorandums of Understanding (MOU) with Federal organizations. She also said that the EEOC's relationships with city entities generally includes information and data sharing as well as educational services. Commissioner Ordonez stated that there have been discussions about the ERC creating MOU's with the state to create a work sharing agreement in regards to discrimination complaints. Flores stated that a work sharing agreement could be discussed down the road with management.

Commissioner Snell brought up the uncertainty and mixed messages from the current Federal Administration and stated that the DOJ has recently stated that the Civil Rights Act will not cover transgender discrimination issues. He asked if that statement has affected the EEOC. Flores stated that to her knowledge the EEOC is continuing to accept employment discrimination complaints in regard to an individual's LGBT status. Commissioner Snell stated that gender identity and expression is included as a protected class in the ERC's new ordinance. He also asked if there was a way for Commissioners or staff to shadow EEOC investigators in case the ERC will need to take those complaints in the future. Flores stated that she could provide no-cost training as long as it is open to the public.

Commissioner Snell stated that he knows of transgender individuals (and others from other protected classes) who are hesitant to go to the EEOC because they do not feel that the government has their best interest in mind. He said that these individuals might feel more comfortable bringing their complaints to the ERC or a local community organization. Flores stated that an informal complaint or a third-party complaint can be filed with the EEOC and that if there is a solid working relationship between the EEOC and the ERC or other community orgs that the process can be streamlined and taken care of quickly.

Commissioner Ashley asked about upcoming trainings that the Commissioners and staff could attend and about the process of formalizing a relationship/agreement with the EEOC. Flores stated that she would let Jessica Langill know when no or low-cost training events were happening around Milwaukee that we could be a part of. Commissioner Ashley asked how the ERC can help people get around the intimidation that comes with making a complaint to the federal government. Flores stated that the EEOC has contractual relationships with city and state counterparts, which would need to be discussed with their State and Local Coordinator and Area Director. She also stated that the Milwaukee Office is somewhat small but that they would be willing to come directly to an individual or community organization to meet with a complainant.

Sharon asked if the EEOC has any type of data sharing agreement with other cities. She stated it would be helpful for the ERC to have access to Milwaukee's data regarding discrimination complaints. Flores stated the EEOC provides national statistics on the website. She also stated that more specific data can be requested through her. Flores stated that there is a data MOU with Chicago, Minneapolis, Davenport, etc.

Commissioner Ordonez asked if there is anything the ERC can do to help the EEOC or to start building a strong relationship. Flores stated that event sharing would be very helpful.

# 3. Metropolitan Milwaukee Fair Housing Council (Megan Wanke and Kori Schneider-Peragine)

Commissioner Ordonez introduced the representatives from the Milwaukee Fair Housing Council. He stated that the ERC is thankful to have the current relationship with the Fair Housing Council. Megan Wanke stated she wanted to give a description of the services and how the ERC can work with the Council in the future.

Wanke stated the Fair Housing Council is 40 years old, and the mission is to guarantee all people in Wisconsin equal access to housing by enforcement of Federal, State and Local housing laws as well as to create and create and maintain racially and economically housing patterns. The Council has an outreach and education program, they develop fair housing promotional materials (in multiple languages), provide technical assistance to anyone interested in fair housing information/laws. Information calls can be made anonymously. They also have a fair lending program. The Council has an Enforcement Program that takes complaints on any type of housing discrimination complaints. They assist any protected class that is codified by any Federal, State or Local law.

Wanke stated that the complaint process is confidential unless the complainant wants to pursue further measures outside of the Council. The complaints are taken over the phone and the enforcement staff reviews the case. They are also the only organization in the state of Wisconsin that conducts "testing" in the housing market. On a case-by-case basis they may also help complainants pursue their complaint through the courts. They also have attorneys that assist complainants when necessary. Wanke stated that most of the time complaints are settled within the organization through mediation.

Kori Schneider-Peragine stated that in her role she looks more at the systemic issues of fair housing. In her Inclusive Communities program, they work on exclusionary municipal policies. Her work focuses mostly on the suburbs. Schneider stated they also do a lot of grass-roots work, testifying at hearings, providing technical assistance to developers, and doing fair housing reviews for communities. They also work to keep Fair Housing Tax Credits in the city of Milwaukee as well as where the jobs are expanding to and work to address the segregation of the Housing Choice Voucher.

Commissioner Ordonez brought up data sharing and asked how the Fair Housing Council shares their data. Wanke stated that the Fair Housing Council does monthly reporting to the City of Milwaukee through the CDBG program. She stated the only details that are reported regarding protected classes would be race, ethnicity and income data. She stated that a narrative report is also provided. Commissioner Ordonez stated that the ERC will be requesting those numbers in the future. He also asked how long cases take to resolve. Wanke stated that sometimes cases close the same day but can go up to taking several years to complete. She stated the Equal Rights Division can sometimes be quicker, but resolutions still take about a year.

Commissioner Ordonez asked what the process would look like if an individual that is only protected by the ERC files a complaint with the Fair Housing Council. Wanke stated that they have not brought any complaints to the ERC in quite some time because state and federal remedies are usually much better and the ERC has not had enforcement abilities. She stated in the future if this situation arises that the Council would talk with the complainant about all of their options and then would assist them to filing a complaint with us if that is what they wanted.

Commissioner Snell asked what city MOU's look like with the Fair Housing Council. Wanke stated that normally they provide the complaint intake services, technical assistance, presentations, city of Milwaukee landlord training and they report on fair lending outreach. Commissioner Snell stated that in the future the ERC would like to partner with the Council to educate the Milwaukee community. He also asked how the ERC can help and where we can be more effective.

Commissioner Ordonez asked how the ERC can potentially help the Fair Housing Council in the future. Wanke asked that the Commission use its voice in the community to educate people about their rights and the assistance the Council can offer. Schneider stated in the future the Commissioners may be able to advocate for affordable housing projects through their connections with Alders. Wanke also stated that their funding from the City of Milwaukee has been stagnant at \$100,144/year and asked for advocacy from the Commissioners in the future.

Commissioner Ashley asked if the Fair Housing Council is involved in the fight for fair transportation opportunities. Schneider stated that she is not as directly involved as she wishes she could, but resources limit her. She stated that they sometimes partner with other organizations (like ACLU) to address these issues. Commissioner Ashley also stated that if the Council would like the ERC to have a presence at any of their meetings that she should reach out to Jessica Langill and someone will come on behalf of the ERC.

# 4. Intergovernmental Relations (La Keisha Butler)

Held until November meeting due to La Keisha being unable to make it to this meeting.

# 5. Amicus Brief (Masterpiece Cakeshop v. Colorado Civil Rights Commission)

Jessica Langill stated the Mayor's Office reached out approximately a month ago about an Amicus Brief coming from the County of Santa Clara. Ben Roovers stated an Amicus Brief is a brief submitted by a party that is not directly related to the civic action, but has an invested interest for some reason. Langill stated that the amicus brief is related to the case pending before the Supreme Court regarding Masterpiece Cakeshop's refusal to bake a cake for a same-sex couple's wedding. She shared that they have put together a draft of the argument that they will be bringing to the Supreme Court. She stated that the Cakeshop has declared they are exempt from the Colorado Civil Rights law on the basis of a religious belief against same-sex marriage.

Langill stated that in order for the City of Milwaukee to sign on to the Amicus Brief it would have to be reviewed by the City Attorney's Office, the Mayor's Office and the ERC and then brought for approval to the Common Council. If the Mayor wants to sign on to the brief on his own, he can do that without approval from the Common Council. Langill stated that they only gave cities one week to sign on to the final draft.

Sharon Robinson stated that the ERC could sign on if they wanted to and then send a recommendation to the Mayor to sign on as well. Commissioner Ordonez stated that even though the Common Council would not be able to meet the deadline to sign on, that he would like to know where the Council stands on this issue. Robinson stated that the Common Council could potentially issue a resolution relating to the matter in the future. Commissioner Ashley suggested that the ERC wait on involving the Council in the matter until we find out if the case goes to the Supreme Court. Commissioner Ordonez asked Ben Roovers what a situation like this would look like in the City of Milwaukee. Roovers stated that it would be a public accommodations issue and that since sexual orientation is not a protected class under public accommodations at the State level that the complaint would be brought to the ERC. He stated it could also turn out to be Constitutional issue.

Commissioner Snell moved that the ERC sign on to the amicus brief and recommend that the Mayor does as well. Commissioner Moua seconded the motion. Roovers stated that he could not advise about the issue until he is able to read through it. Commissioner Snell moved that they table the decision until Ben Roovers had the time to look it over and make a recommendation.

After review, Ben Roovers stated the brief was pretty standard and he did not see anything that he had an issue with. Commissioner Snell moved that the ERC sign on to the Amicus Brief and that we relay the decision to the Mayor's Office. No objections.

# 6. Operating Procedure Plan

Commissioner Ordonez stated that it was necessary for the ERC to start strategic planning now that the new Ordinance has been passed. Commissioner Ordonez suggested that the ERC look at Minneapolis' model and mirror the operating procedure after theirs. He stated that a subcommittee would need to be put together to work on an operating procedure. Jessica Langill stated that she can start by going through the Minneapolis plan to find what would work for Milwaukee and then would bring it to the sub-committee for review/changes.

Commissioner Roman stated that a temporary strategic plan sub-committee should be created and that this committee could work on the operating procedure, strategic plan and appointment of new Commissioners. He stated that any interested Commissioners should reach out to him and let him know if they are interested. Commissioner Roman appointed Commissioner Ordonez to chair the sub-committee. Commissioner Ashley stated she would be happy to be part of the sub-committee as long as there could be some conference calls meetings.

# 7. Upcoming Listening Sessions

**Tabled** 

# 8. IAOHRA Update

Commissioner Ordonez asked Jessica Langill to touch on the Seattle Equal Rights Summit that she attended. Langill stated that International Association of Official Human Rights Agencies put on the Summit. She stated that the org has been around for a long time and that they work with many community organizations. She stated that the focus of the summit was on issues Native American/Indigenous People face. Langill said that attendees were challenged to start including Indigenous People in their fights for equality. Langill reminded that the ERC is still in need of an Indigenous Commissioner. She also stated that she was able to make several connections with similar organizations and found out about potential trainings and training funding that can be used in 2018. Langill recommended that the ERC join IAOHRA next year to stay connected to other equal rights agencies and to be up to date on the issues going on around the country. She stated that once she is able to go through all of the resources and material she would send out a more detailed report.

Commissioner Ordonez asked if there was a report on the work currently being done in other cities. Langill stated she is waiting to receive it from the summit organizers but that they did discuss one on the last day of the summit. Commissioner Ordonez stated that this type of report would be helpful for when the ERC requests additional funding in the future to show what other cities are working on. Commissioner Roman suggested that the ERC also become a member of GARE.

# 9. Community Dialogue & Upcoming Events

Jessica Langill stated that the Human Rights Campaign had sent her Milwaukee's final score. She stated that Milwaukee gained 18 points from 2016 and now has a score of 90. Commissioner Snell stated that Milwaukee technically has a 95 but that since the ordinance was not passed in time it could not be counted this year. She stated that in 2018 the ERC should focus on City of Milwaukee transgender-inclusive healthcare benefits to earn the remainder of the points. Commissioner Snell stated that in discussions with the Council President and other Alders that there could be interest in advancing this issue in 2018.

Langill stated that the HRC would be releasing final scores at 9am the next day, so the ERC cannot issue a statement on the new score until after the HRC does. Langill said that she had reached out to the Mayor's Office to see if they would like to issue a statement and that the ERC should have a statement ready to go for tomorrow. Commissioner Snell recommended that a joint release go out on Monday with the community partners that have helped increase the score. Commissioner Ordonez agreed that community partners should be recognized. Commissioner Ordonez stated he would draft the press release and Langill said she would reach out to community partners.

Commissioner Ashley stated that she will try to get someone from HUD to come to the next meeting. Langill stated that Intergovernmental Relations would also be at the next meeting.

Commissioner Roman stated there will be a discussion about a call for officers for 2018 at the next ERC meeting.

10. Next Meeting Date: November 15, 2017 at 2:30pm

#### 11. Adjourn

Meeting adjourned at 4:58 p.m.

\* \* \* jml



#### **MINUTES**

#### **BOARD OF EQUAL RIGHTS COMMISSIONERS**

November 15th, at 2:30pm

Room 301-A, City Hall, 200 E. Wells Street Milwaukee, WI 53202

Present: Absent:

Commissioner Jeffery Roman, Chair Commissioner Tony Snell Commissioner Mayhoua Moua Commissioner Sheila Ashley Commissioner Chez Ordonez, Vice-Chair

Jessica Langill, Dept. of Administration
Sharon Robinson, Dept. of Administration
Ben Roovers, City Attorney's Office
Patricia Ruiz-Cantu, Dept. Of Administration
Rebecca Rabatin, ADA Coordinator
Kathy Block, City Attorney's Office
Rhonda Kelsey, City Purchasing
Officer Joshua Post, Milwaukee Police Department
La Keisha Butler, Intergovernmental Relations
Nikki Purvis, Office of Small Business Development

The meeting was called to order at 2:40pm by Commissioner Snell without quorum. Quorum met at 2:55pm.

## 1. Approval of Minutes from October 18th Meeting

Held until quorum reached. Commissioner Moua moved to approve the October minutes, Commissioner Ashley seconded. Minutes approved unanimously.

# 2. Ordinance Language Regarding City Contracts (Ben Roovers, Kathy Block and Rhonda Kelsey)

Assistant City Attorney Kathy Block stated that she represents city departments in contracting matters. She stated that in the previous Equal Rights Ordinance there was language applied to

all city contracts that specifically stated that any city contractors were not permitted to discriminate against any city employees based on the list of protected classes. She stated this section had been omitted in the recent ordinance rewrite. Ms. Block stated that this language is important in negotiating contracts. It is helpful for procurement professionals in the city to combat any pushback from contractors in regarding to anti-discrimination language.

Ms. Block stated that it would be relatively easy to add the language back into the ordinance rewrite. Commissioner Snell asked if there had been a lot of pushback from contractors in the past and Ms. Block said that she was not aware of much pushback, but that with the expanding list of protected classes, it may become more relevant and useful in the future. Rhonda Kelsey, City Purchasing Director, stated that she also did not recall any pushback but that since they cite the ordinance in the contracts, it gives the city leverage. Commissioner Ashley asked if this would also give CDBG and HACM leverage in their contracts, and Rhonda Kelsey stated she was not entirely sure, but that she thought that it would.

Ben Roovers stated an additional section could be added to the Employment section in the new Ordinance and could be written verbatim from the previous ordinance with the new protected classes added. Commissioner Snell asked if similar language could be added regarding licensing. Ben Roovers stated he would need to look into that request and would follow up at a later time.

Commissioner Ashley moved to amend the Equal Rights Ordinance to include the anti-discrimination language regarding to city contracts from the previous ordinance, Commissioner Snell seconded. Adoption voted on unanimously. Kathy Block stated that currently city contracts are citing an outdated version of the ordinance and do not recognize all the additional new protected classes. She stated that the next full council meeting is November 28<sup>th</sup>. She asked if the Commission wanted to bring it to an Alder on their own or if the Commission would like one of the City Attorneys to handle it. She stated that it would be preferable to amend all the city contracts at once, so it would be helpful to get this done as soon as possible. Sharon Robinson delegated this responsibility to Kathy Block and Rhonda Kelsey.

#### 3. Disparity Study

Rhonda Kelsey stated that she was available to answer any questions the Commission may have about the Disparity Study that was approved by Common Council and allocated 1 million dollars to be completed. Ms. Kelsey stated that the previous Disparity Study was challenged and could not be used. She stated the city of Milwaukee was sued by the Hispanic Chamber on the basis of a flawed study with goals that were not advantageous to the Hispanic community. Commissioner Snell asked what could be done differently this time to make sure it would not be challenged. Ms. Kelsey stated that she did not believe there is anything the city could do to completely protect itself from being sued. She stated that DOA would be sure the RFP and BID language would be extremely clear this time around. She stated an evaluation committee will be put together to look at BIDs.

Sharon Robinson stated that she would be asking the City Attorney's Office to have a more elevated role in the process this time around. Ms. Kelsey added that she would like to see more communication about the process be brought to a formal body so that there is more visibility. Nikki Purvis, Director of the Office of Small Business Development, stated that while it may look like there is a gender disparity in the city regarding who gets city contracts, it also comes down to availability of women-owned contracts. She also stated that this study could potentially show that there is not a disparity and that the Common Council could potentially disregard the recommendations that come out of the study if a disparity is found. Ms. Robinson stated that it takes a year and a half to two years to complete the study and that the study should include a larger sample of contracts this time around.

Commissioner Ashley stated that HACM and RACM should be included in this Disparity Study. Ms. Kelsey stated that there would be a discussion on who should be included in this study and that more voices will definitely be included (such as DCD).

Ms. Kelsey stated that depending on the allocation of funding, they should start working on the RFP at the end of December or beginning of January. She stated a solid RFP could potentially be ready by the end of 2018. Commissioner Snell asked if there was anything the ERC could do to help. Ms. Kelsey stated she could use the ERC as a way to communicate information about the process and to get community participation. She stated a member of the ERC could also sit on the evaluation committee.

#### 4. New LGBTQ+ Police Liaison Introduction (Officer Joshua Post)

Commissioner Snell stated that LGBTQ Liaisons were appointed in the MPD in response to the HRC Municipality Index Report. He also stated that it was very important for the LGBTQ community to have a Police Officer that can humanize the force as a liaison. Officer Joshua Post stated that he has been with the MPD for eleven years and is currently assigned to the Captain's car and is the nuisance officer for District One. Officer Post stated that he is aware that trust in the police force is low and that it can be exacerbated by being a part of a community that feels as though their rights are not respected. He also acknowledged the fact that there are many transgender community members who do not feel comfortable reporting crimes because of how they believe they will be treated by Police Officers. He stated he is looking forward to building relationships with this community, so they feel comfortable coming to him. Officer Post stated his direct report is Captain Heather Wurth (the other LGBTQ Liaison).

Commissioner Ashley asked if Officer Post works with the Latino Police Association. He stated he is not an official member but that he volunteers with them. She asked if there is a group similar to LPA for LGBTQ Police Officers. Officer Post stated there is not currently a group like this but that he would like to start a group in the future. He stated that there should at least be a LGBTQ liaison in the Police Officer Support Team. He also stated that in his current role with the MPD he will have the time to really do some good work in his liaison position.

#### 5. Intergovernmental Relations (La Keisha Butler)

LaKeisha Butler stated that Jessica Langill had asked her to come to the ERC meeting to discuss ways to engage the Commission in the Legislative process. She stated that the Intergovernmental Relations division lobbies at the local and state level for initiatives and bills that they do/do not want to become law. She stated a lot of what she does is damage control, but that they try to proactively work on legislation as well. Any positions taken by Intergovernmental Relations is directed by Common Council. At the beginning of the year IRD reaches out to city departments to see what legislation they are interested in and then they put together a Leg Package.

Ms. Butler stated that IRD could forward the Leg Package and bill co-sponsorship memos to Jessica Langill to ask for input. She stated that the ERC's input on bills will not always go to Common Council or that if they do go to Common Council that they will take the same position as the ERC. Commissioner Roman asked if IRD does any federal lobbying. Ms. Butler stated that the budget is small so federal lobbying is very limited. She also stated that another IRD employee, Danielle Decker, has many connections at the federal level that they try to leverage when necessary. She also stated that the city IRD works with the Milwaukee County lobbyists as well. Sharon Robinson stated that key departments in the city also belong to advocacy organizations that do national lobbying.

Commissioner Snell asked if IRD has taken a formal position on transgender and gender identity issues at a state level. Ms. Butler stated she did not think it was in the Leg Package. She also stated that in this political climate, most bills introduced by Democrats will sit. Commissioner Roman asked what process is used in involving the community in creating the city Leg Package. Ms. Butler stated that she was not aware of a way for community to be involved, but that city departments may involve community when choosing their priorities. She stated the Leg Package is also presented in public at the Jud Leg meeting and then the full Common Council meeting at the beginning of the year.

Ms. Butler stated they are working on bringing legislators from Madison to see how Milwaukee really is and to humanize it so they are more willing to work toward addressing needs in Milwaukee.

## 6. Office of African American Affairs (Sharon Robinson)

Sharon Robinson stated she has been working with Alderman Rainey and Nicole Brookshire (county OAAA Director) on drafting an MOU. She stated the designated space on Fond du Lac Ave needs some work to become operational but will end up being a great facility. She stated the vision of the OAAA will be a "one stop shop" where residents can go and get all the resources and services they need. She stated there are 20 offices along with space for training and large meetings. She also stated the Fatherhood Initiative will be permanently housed in the OAAA. Several organizations and departments will have a presence in the office such as health

screenings, employment resources/materials, youth services, etc. They will also have a workforce development component. Commissioner Ashley suggested writing a grant to finance the labor.

Director Robinson stated that it would be a good idea to have Jessica Langill or one of the ERC Commissioners have a regular presence in the building to offer discrimination complaint services. She did state that Alderman Rainey is very passionate about keeping the space and outreach focused on the population the OAAA is targeting. Director Robinson said this would be a great way to raise the visibility of the ERC on that side of town.

Director Robinson said DPW will be starting in 2018 to update the building and make sure it's ADA compliant. She stated that they hope to open doors in late 2018. Commissioner Roman asked about the structure/management of the office. Director Robinson stated the county OAAA would be willing to have their production manager work out of the Fond du Lac office. She also stated that there could be some part time or graduate positions to staff the front desk. Director Robinson stated that DOA will have a key role in getting the MOU finished and working to make the space operational.

#### 7. Accessible Bike Share Task Force

Rebecca Rabatin (ADA Coordinator) stated that the city's Bike Pedestrian Coordinator had asked to be put on the ERC agenda. She stated that after the listening session in August that the city was looking at putting together a study group to look into the feasibility of having adaptive bikes as part of Milwaukee's bike share program. She stated that before the committee was formed to do so, the city received a grievance regarding not having accessible bikes.

Ms. Rabatin stated that the Bike Pedestrian Coordinator thought that it may make sense for the ERC to put together the accessible bike task force. He also stated that he was hoping the ERC would be able to help get community input for the Bike Pedestrian study being put together. Commissioner Snell asked if Independence First would be willing to put the task force together and Ms. Rabatin stated that DPW did not want an advocacy group to sponsor the group but that it would be better for a city department/commission to handle it.

Commissioner Snell asked if the individuals who submitted the grievance would be able to come to the next ERC meeting to discuss their concerns and ideas. He also asked the Bike Pedestrian Coordinator to attend the next meeting as well. Director Robinson stated that the Bike Share program is funded by a federal grant that has very specific requirements. She also stated that they are pretty certain they are not breaking any ADA rules/regulations but that they are still willing to look into having a separate accessible bike program. Commissioner Ashely asked if there was a way to get a copy of Wauwatosa's adaptive bike program. She also stated that she is involved with the Milwaukee county AARP group that has been discussing adaptive bikes. Commissioner Snell stated he would also like to see Wauwatosa's numbers on how much their adaptive bikes are being used.

#### 8. Equality Awards & Human Rights Day Event

Jessica Langill stated that the Human Rights Day Event is in the process of being planned through a partnership with the county. There will be many speakers including the Mayor Barrett, Executive Abele, the Police Liaisons, Paul Vornholt, etc. She also stated that the main thing that needs to still be figured out is entertainment. She stated at this point she has only been able to find one performer, a Korean drummer. Ms. Langill requested that the Commissioners think about other performer possibilities.

Ms. Langill also asked the Commissioners to attend the event and Commissioner Snell suggested that throughout the day the Commissioners could feature different initiatives we have taken part of throughout 2017 (Ordinance rewrite, HRC Index score, listening sessions, etc.).

Ms. Langill stated that there will only be room in the rotunda for 8-10 resource tables because of the Christmas tree and the Menorah. She said she has connected organizations that have similar target populations and asked them to share tables to make the most of the space available.

Ms. Langill stated that the Commission needed to choose who would be receiving the three Equality Awards. Commissioner Ashley moved to allow the Human Rights Day Subcommittee to make the final decision on award recipients and Commissioner Roman seconded the motion. Ben Roovers (Assistant City Attorney) stated that the meeting would have to be noticed and open to the public. Ms. Langill stated she would reserve a room at city hall and have a call-in option.

#### 9. ERC Officer Nominations

Commissioner Roman stated that he is calling for chair nominations and that he will be stepping down after his term ends in February. He stated that he felt it was time for new leadership. It was decided that nominations would be discussed and voted on at the January meeting. Ms. Langill reminded the Commission had 4 open seats.

#### 10. Community Dialogue & Upcoming Events

Jessica Langill mentioned the Transgender Day of Remembrance event being held by FORGE at the LGBT Community Center on November 18 at 6:00pm.

#### 11. Next Meeting Date: December 20, 2017 at 2:30pm

#### 12. Adjourn

Meeting adjourned at 4:50 p.m.



#### **MINUTES**

**BOARD OF EQUAL RIGHTS COMMISSIONERS** 

December 20th, at 2:30pm

Room 301-A, City Hall, 200 E. Wells Street Milwaukee, WI 53202

Present: Absent:

Commissioner Jeffery Roman, Chair Commissioner Chez Ordonez, Vice-Chair Commissioner Tony Snell Commissioner Sheila Ashley Commissioner Mayhoua Moua

Jessica Langill, Dept. of Administration
Sharon Robinson, Dept. of Administration
Ben Roovers, City Attorney's Office
Patricia Ruiz-Cantu, Dept. Of Administration
Rebecca Rabatin, ADA Coordinator
Jeff Polenske, City Engineer
James Hannig, DPW, Bicycle & Pedestrian Coordinator
Maria Monteagudo, Employee Relations Director
Karen Dettmer, DPW, Public Works Coordination Manager
Brian Peters, Independence First
Sharin Cabral, Disability Rights Wisconsin
Deb Falk-Palec, Chair, Milwaukee County Commission for Persons with Disabilities
Mike Bork, County Recreation
Nathan Guequierre

The meeting was called to order at 2:36pm without quorum. Quorum met at 2:50pm.

# 1. Approval of Minutes from November 15th Meeting

Held until quorum reached. Commissioner Snell moved to approve the minutes, Commissioner Ashley seconded. Minutes approved unanimously.

## 2. Inclusion of Adaptive Bikes in COM Bike Share Program (Jeff Polenske)

Commissioner Roman acknowledged that a grievance regarding the lack of accessible bikes in the City of Milwaukee's bike share program had been filed and responded to. He stated that the discussion on the agenda was not to be used as a listening session about the grievance.

Jeff Polenske, DPW's City Engineer, spoke on behalf of DPW's involvement in the process. Polenske stated that a bike share program is to be used as a self-service transportation option for short-distance point-to-point trips. Polenske stated that the City of Milwaukee is able to apply for certain Federal grants to expand the city's bike share (Bublr) program. He stated that the city has been able to bring in a great deal of funding to purchase more bikes and stations and that the funding for daily operation/maintenance comes from membership dues, ridership fees and sponsorship. Polenske shared that the City of Milwaukee has been able to secure two grants through a Congestion Mitigation Air Quality Program. Grants from this program are to be used to provide alternate transportation choices beyond single-occupancy vehicles, in order to improve air quality. He stated that the first grant has been completed, bringing in 25 more bike stations. The second grant will bring more bike stations to the city. Polenske stated that he is a member of the Bublr board and is able to maintain some oversight of the program as a representative of the City.

Polenske stated that through the process of bringing the bike share program to Milwaukee, DPW learned that was a community interest in bringing adaptive bikes to the program. He stated that DPW has had conversations regarding adaptive bikes and has been trying to figure out how to be more accessible to those with disabilities. He stated that the technology within the current Bublr system is not there for accessible bikes, but that DPW has been open to discussing other options. Polenske stated that the conversation has been ongoing and that they are learning from other cities in the US. He stated that Wauwatosa recently created a single accessible bike rental station for individuals with disabilities.

Commissioner Ordonez verified that Bublr is the only vendor that provides a bike share program in the City of Milwaukee. He asked if the City would be open to another vendor coming in and offering other bike share options. Jeff Polenske stated that the City could not prevent another vendor from coming in. He brought up dock-less bike programs that are coming into communities around the US. Commissioner Ordonez asked how the funding from the current bike-share grant will be used. Polenske stated that because of how the grants were written, the funding would go toward expanding the current Bublr program. Polenske stated that if there was a vendor that wanted to partner with the city in the future on getting a grant for accessible bikes, that the City would be open to that discussion. Commissioner Ordonez asked if the current bike share program in the City is currently accessible to low-income communities of color. Polenske stated that Bublr's mission is to be accessible to all communities. He stated that Bublr has several financial programs for low-income riders and that the system has been expanded beyond the central business district in the City. Commissioner Ordonez requested a list/map of where the current docks are and where the expansion will take place.

Commissioner Snell asked how inclusive the Bublr board is. Polenske stated there are 8 board seats but that no current board members are from the disability community. Commissioner Snell stressed the importance of having a diverse board. He asked if DPW or the Bublr board have done any type of feasibility study relating to accessible/adaptive bikes. Polenske stated that there have been surveys done but that no study has been done as of yet. He also suggested that the board should go out into the community and listen to the concerns of the disability community. Commissioner Roman asked Jeff Polenske to provide a summary of the users of the bike-share program.

Commissioner Ordonez asked if there has been any discussion about the potential air quality impact of people with disabilities needing to call for transport or driving on their own to run errands and for short trips vs. the impact of having adaptive bikes available. Jeff Polenske stated that they have general information on the trips, but not specific to the disability community. Commissioner Ordonez encouraged DPW to look into this.

Commissioner Ashley asked if there would be a way to find out in what parts of Milwaukee people that are served by organizations such as Independence First and Disability Rights WI live, and to start a pilot program in an area that is heavily populated by people with disabilities. Jeff Polenske stated that DPW is looking to develop some partnerships with organizations that are able to help answer these questions. Commissioner Ashley also suggested that they look into philanthropic and corporate partners to develop a grant to purchase adaptive bikes. She also suggested that DPW and Bublr partner with AARP as they currently have an adaptive bike program.

Commissioner Roman reminded the attendees that the Equal Rights Commission could not respond to matters concerning the formal grievance filed with the City, but that the Commission would like to hear from the community about ideas they have regarding creating an accessible bike share program.

Sharin Cabral (Disability Rights Wisconsin) stated that they had prepared a written statement including a legal analysis of the issue and asked if she could read it to the Commission. Cabral stated that it has been 2 and a half years since they have started their dialogue with the City and Bublr Bikes about the lack of inclusion in their program. She stated that she was very open to a dialogue and a resolution to the problem, if it does not take another 2.5 years. Cabral stated that the City's response to the grievance was based on a flawed and biased study done by a group called Motivate (which does not provide accessible bikes). She also stated the Motivate Study did not represent the ADA. Cabral stated that the City's response to the grievance said that adding accessible bikes to the current bike share program would be a fundamental alteration to the current program and therefore the City is not legally required to add accessible bikes to the current bike share program. She stated that the contract between the City and Bublr states that the bikes can be used for transportation or recreation, making that argument void. Cabral also brought up the argument of where people with disabilities would store their wheelchairs and scooters when using the adaptive bikes. She stated this was

not an issue the City needed to worry about and that the people using the bikes would figure that out on their own.

Deb Falk-Palec stated that since addressing the Commission at the last listening session, there have been more cities who have added accessible bikes to their bike share program. She stated that having accessible bikes is not only important for the citizens of Milwaukee but also for visitors coming in from other cities that have accessible bike programs. She stated that she sees the City and Bublr as an obstacle in creating an accessible bike share program because they have said "no" to any suggestions that have been presented. Falk-Palec stated that it might be possible for Zagster, the only bike program that offers accessible bike options, to do a study in the City of Milwaukee. She stated the bike advocates are not asking for much, only a few accessible bikes.

Commissioner Ordonez asked if there has been a list created of the suggestions that have been made and the responses they have received. He also asked if a cost analysis has been done. Falk-Palec stated they have not done a financial cost analysis but that Wauwatosa spent between \$20,000-22,000 on their adaptive bike station. Commissioner Ordonez stated that although cost is not a factor for inclusion, but that it would be helpful for the Commission to know. He also stated it would be helpful if Zagster had a cost breakdown and that the Commission invites Zagster to attend an ERC meeting in the future.

Commissioner Snell brought up the fact that tourism brings in 5.5 billion dollars a year into the city and that the City should be making an effort to be accessible to all tourists. He stated that large disability groups may choose to have their conventions in other cities in the future if Milwaukee does not start offering accessible bikes. Mike Bork stated that Ramp Up MKE partnered with Milwaukee County Parks to raise funds for 3 hand cycles that are available for rental at the Lakefront. Commissioner Snell stated the City or Bublr could advertise for these existing hand cycles as a first step in being more inclusive. Mike also stated that Bublr is currently maintaining these hand cycles for the Milwaukee County Parks.

Brian Peters (Independence First) stated that his organization has adaptive tricycles and hand cycles that are available for rental. He also stated that he believes accessible bikes will also be used by people without disabilities. Deb Falk-Palec stated that Wauwatosa does not police the accessible bikes and that anyone can check them out to use them.

Sharin Cabral said that moving forward they could either file another grievance with the City with more information or they could file a grievance with the Department of Justice. Commissioner Snell stated that the ERC is very interested in resolving this issue and that they will work to get answers more expeditiously. Commissioner Ordonez stated that as a Commission they cannot take up the grievance but that the Commission is empowered to take on this issue and look at other avenues such as committees and task forces.

Commissioner Ashley stated that the ERC is in the process of recruiting new members and that they are being mindful about making sure the members reflect the Milwaukee community.

Sharon also stated that the City has already started conversations with the disability community regarding adaptive bikes. Jeff Polenske stated that there have been conversations about the challenges and options and that they have done some research into the bike program Zagster offers. Polenske stated that Zagster could be a possibility but that there would have to be a larger discussion about where the funding would be coming from. Rebecca Rabatin stated that all of the cities that have adaptive bikes as part of their bike share program are currently using Zagster. She stated other cities have separate adaptive bike rental programs. Ms. Rabatin also looked at a company called Adapative Adventures that had provided adaptive bikes to parks in the state of Wisconsin but that they left Wisconsin because there was not a great demand for the bikes. Ms. Rabatin stated that she has talked to this company and they would be interested in coming back if the desire is there.

#### 3. International Human Rights Day Debrief

Jessica Langill stated that the International Human Rights Day event on December 8<sup>th</sup> was a success. In partnership with the County of Milwaukee Human Rights Commission, there was an opening ceremony (attended by approx. 50 people) at noon that featured the Mayor, Consul Adem, Alderwoman Lewis, the LGBT Police Liaison, a Korean Drummer, etc. She stated there were also resource tables full of local organizations. The closing ceremony included the ERC's first Equality Awards, presented to Adam Wickersham, Independence First and Children's Hospital. Ms. Langill stated that there was a debrief meeting in which it was decided that community members will be part of the planning for 2018 and that planning will begin earlier.

#### 4. Strategic Planning Update

Commissioner Ordonez stated that there was an initial Strategic Planning Committee meeting recently and that an initial framework had been discussed. He stated that the committee discussed standing committees and the grievance/hearing panel procedure. Commissioner Ordonez also stated that the committee would be further discussing the Commission's standard operating procedures and structure. Ben Roovers stated he would be willing to be a part of further meetings.

Commissioner Ashley stated that she would like to see a mission and values statement should be created before framework and objectives are discussed. She also stated that all Commissioners should be included in making decisions about the 3-5 year strategic plan. She stated the Strategic Planning Committee should work on an outline of the strategic plan. Commissioner Ordonez stated that he did not feel that the Committee was not moving too fast and that it is extremely important to have infrastructure in case someone files a complaint. Commissioner Snell stated that strategic plans and operating procedures are two different things. Commissioner Roman suggested that there be a real strategic plan meeting in 2018 with all Commissioners once all seats are filled. Sharon Robinson stated that partnerships are going to be very important moving forward to help with referrals and capacity issues. She also stated that Jessica would put together an initial framework and facilitating a strategic planning meeting.

## 5. ERC Nominations & Search for Commissioners

Commissioner Ordonez stated that he has had conversations with two potential Commissioners. Commissioner Snell stated that the ERC might want to consider having a governance committee that would be responsible for finding future Commissioners. Sharon Robinson stated that it would be best to recommend all five potential new Commissioners at once and that it should be done by February if at all possible. Jessica Langill asked the Commissioners to think about recommendations.

#### 6. ERC Logo

Held until future meeting

#### 7. City's Anti-Harassment Initiatives (Maria Monteagudo)

Maria Monteagudo had to leave the meeting early and will be rescheduled for a future meeting.

#### 8. Community Dialogue & Upcoming Events

None

9. Next Meeting Date: January 17th, 2018 at 2:30pm

#### 10. Adjourn

Meeting adjourned at 4:53 p.m.

\* \* \* jml